



**COURT OF COMMON PLEAS
39TH JUDICIAL DISTRICT OF
PENNSYLVANIA
FRANKLIN COUNTY (CHAMBERSBURG, PA)**

COURT FACILITY MASTERPLAN

**FINAL REPORT
May 2009**

Chang-Ming Yeh, Project Director

**Gordon Griller, Project Staff
Mary Beth Kirven, Project Staff
David Sayles, Project Staff
Jane Macoubrie, Project Staff**

**Daniel J. Hall, Vice President
Court Consulting Services
707 Seventeenth Street, Suite 2900
Denver, CO 80202-3429
(303) 293-3063**

© 2009
National Center for State Courts

This document was prepared under a contract between the National Center for State Courts (NCSC) and Franklin County (the County) Pennsylvania, on behalf of and at the request of the Court of Common Pleas for the 39th Judicial District (the Court), a general jurisdiction trial court headquartered at the Franklin County seat in Chambersburg, Pennsylvania and operating as part of Pennsylvania's Integrated Judicial Branch. The County provides much of the funding for the Court, including the courthouse and other buildings occupied by court programs. Additionally, this evaluation will be used by Carter Goble Associates, Inc. (CGA), a space and building design firm also under contract with the County, to assess space utilization and options regarding future court and justice facilities. The points of view and opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of the County, the Court, or the Judicial Branch. NCSC grants the County and the Court a royalty-free, non-exclusive license to produce, reproduce, publish, distribute or otherwise use, and to authorize others to use, all or any part of this report for any governmental or public purpose.

Online legal research provided by LexisNexis.



TABLE OF CONTENTS

	Page
I. Executive Summary.....	ES-1
II. Evaluation Objectives and Background.....	1
III. Near Term Workloads Stabilize; Space Constricts.....	3
IV. Description of Court/County Offices and Current Staffing Tables.....	4
A. Court of Common Pleas Judicial Support.....	4
B. Court Administration	6
C. Magisterial District Court	7
D. County Sheriff	8
E. Prothonotary	9
F. Clerk of Courts and Clerk of Orphans' Court.....	10
G. Domestic Relations.....	12
H. District Attorney	14
I. Juvenile Probation	15
J. Adult Probation.....	16
K. Public Defender	17
V. Current Court Operation Environment Assessment	18
VI. Long-Term Needs Analysis.....	43
A. Franklin County Growth Projections	43
1. Historical Caseload Analysis and Growth Trends.....	43
2. Caveats and Explanations regarding Historic Case Filings for 1994 – 2007.....	44
B. Historic Case Filing Trends by Major Functional Area.....	47
1. Clerk of Courts.....	47
2. Prothonotary	49
3. Domestic Relations.....	51
4. Orphans' Court.....	53
5. Magistrate Court.....	55
C. Franklin County Population Analysis and Forecasts	56
D. Franklin County Case Filing Forecasts	62
1. Projection Methodology	62
2. Clerk of Court	64
3. Prothonotary	67
4. Domestic Relations.....	72

5. Orphans' Court.....	73
6. Magisterial District Court.....	76
E. Fulton County Growth Projections.....	84
1. Historical Caseload Analysis and Growth Trends.....	84
F. Historic Case Filing Trends by Major Functional Area.....	86
1. Clerk of Courts.....	86
2. Prothonotary	88
3. Domestic Relations.....	90
4. Orphans' Court.....	92
5. Magistrate Court.....	94
G. Fulton County Population Analysis and Forecasts	98
H. Fulton County Case Filing Forecasts	103
1. Clerk of Court	104
2. Prothonotary	106
3. Domestic Relations.....	107
4. Orphans' Court.....	108
5. Magisterial District Court.....	111
I. Staffing Projections for the Franklin County Court	115
1. Common Pleas' Court Judges.....	117
2. Judicial Support and Court Administration	121
3. Magisterial District Court.....	122
4. Sheriff's Office	123
5. Prothonotary	124
6. Clerk of Courts and Clerk of Orphans' Court.....	125
7. Domestic Relations.....	126
8. District Attorney	127
9. Juvenile Probation	128
10. Adult Probation and Parole Department.....	129
11. Public Defender	130
12 Summary of All Staffing Requirements.....	131
VII. Information Exchange and Records Management.....	132
VIII. Technology Directions.....	137
IX. Public Use and Access	147
X. Effective Space Utilization	150
XI. Security	161

<u>Appendices</u>	162
A. Franklin County Case Filing Statistics	163
B. Franklin County Juvenile Probation Department Delinquency Referrals	165
C. Franklin County Children and Youth Service Dependency Referrals	166
D. Franklin County and Fulton County Judgeship Ratio to Population and Case Filings, 1966-2030	167
E. Request Letter for Fifth Judicial Officer for the 39th Judicial District	169
F. Courtroom and Courthouse Technology Case Studies	174

I. EXECUTIVE SUMMARY

At the request and under contract to the County of Franklin, the National Center for State Courts (NCSC), a public benefit corporation dedicated to court and justice system improvement, has been engaged to:

- Project judicial and court staffing needs over the next 25-30 years
- Propose records management improvements
- Recommend appropriate justice system technology growth
- Suggest courthouse access and use enhancements for the public
- Evaluate adjudication space needs relative to best practices nationwide
- Advise court and county leaders regarding courthouse security upgrades

The 39th Judicial District Court of Common Pleas, chambered in Chambersburg, Pennsylvania, serves both Franklin and the adjacent Fulton Counties.

Further, only those Court-related functions envisioned to occupy a new or remodeled County Judicial Center (Old Courthouse and adjacent Courthouse Annex), and any constructed or remodeled nearby support buildings composing a downtown Justice Campus within the Borough of Chambersburg are targeted. They presently include the Court of Common Pleas, Clerk of Courts, Prothonotary, Clerk of the Orphans' Court Division, Court Administration, Register of Wills, Jury Commission, District Attorney, Public Defender and Sheriff.¹ Functions currently outside the County Judicial Center, but close to the courthouse, include the Chambersburg Magisterial District Court and the Court of Common Pleas' Domestic Relations Section (child support establishment and enforcement) located a few blocks away in the County Administrative Annex Building. The Sheriff is headquartered at the Courthouse Annex.

¹ Only elected row officers and appointed court officials providing direct caseflow support to the court were reviewed.

Judicial and Staff Increases will Grow Moderately over the Next Two Decades

Judicial, court, and county justice agency increases over the next 22 years to the year 2030 in Franklin County are projected to track closely to population and caseload growth. Increases will be modest, but steady over the next two decades rising by an estimated 40-45 percent.

To determine which projection methodology to employ in projecting future case filings in each court, the NCSC team evaluated each trend line to determine whether it would be more effective to use more recent trend lines from year 2000 or the historical record back to year 1994. In the Clerk of Court, Prothonotary and Domestic Relations Offices, growth trends were not steady for the entire time period reviewed, therefore it may be beneficial to look at different trends within the entire trend line. For these three divisions, it appears that the trends were different between 1994 and 2000 from those in 2000 to the present. A projection focusing on the recent trend may be more accurate than one including all of the historical past. To find the best trend line, the NCSC team developed four projection models.

1. Historical Annual Rate of Growth (total growth from 1994 to present, total percent growth divided by the number of years' data for each court).
2. Recent Rate of Growth (total percent growth divided by the number of years data available for historical trends dating back to 2000).
3. Recent Ratio of Cases to Population on the ratio of population to cases dating back to 2000. The method used here first calculated the ratio of filings to population for all available historic data, 1994/1995 to 2007, as seen in the previous section. The average ratio for all years was calculated, as was the average ratio for the time period 1994 to 2007.
4. A Planning Average is used when the previous three trends produce a boundary that appears to be too low or too high given the current case trends, the average between the two is used to provide a more realistic growth trend.

By using four methods, projections of future caseloads are created based on different assumptions about patterns of growth. The primary purpose of forecasting is to provide the most reasonable and realistic basis for estimating caseloads, and from that, judicial positions, staffing, and facility needs for Franklin County. Alternative trend analyses, projected into the future, assist in decision making by comparing possible scenarios using traditional, well-accepted forecasting methods. Bear in mind that regardless of the forecasting technique used, all projections become less reliable as they go farther into the future. There are simply too many unknown variables that may

affect future caseloads and that cannot be estimated accurately (examples: radical population changes caused by natural disasters, unexpected social or economic shifts, etc.). The objective is to produce comparative growth trends, and then to choose the projection that seems most likely to accurately predict the future.

Table: ES-1
Franklin County Population Projection, 2000-2030

Franklin County Planning Department Growth trend to 2030						
2000 actual	2010 projected	2015	2020	2023	2028	2030
129,313	145,000	151,500	158,000	161,600	167,600	170,000
<i>Growth Rate</i>	1.21%	0.90%	0.90%	0.76%	0.76%	0.76%

Table: ES-2
Fulton County Population Projection, 2000-2030

Fulton County Projected Population Growth to 2030 Source: Southern Alleghenies Planning and Development Commission						
2000 actual	2010 projected	2015	2020	2023*	2028*	2030*
14,259	15,060	15,240	15,600	15,816	16,176	16,320
<i>annual growth rate</i>	0.53%	0.24%	0.46%	0.45%	0.44%	0.44%

*SAP&DC projections were to 2020; in the absence of other official projections, our subsequent estimates project the SAP&DC's latest rate

Table: ES-3
Total Court Case Filings Projection Summary

FRANKLIN & FULTON COUNTY PROJECTED CASELOAD TO 2030							
	Projected Population	Clerk of Court	Prothonotary	Domestic Relations	Magisterial District Court	Orphans' Court Judges Caseload	Orphans' Court Staff Caseload
2008	157,756	3,109	1,182	4,150	27,461	380	1,354
2013	164,068	3,438	1,289	4,521	29,295	431	1,459
2018	170,856	3,771	1,398	4,891	31,129	482	1,565
2023	177,416	4,101	1,507	5,261	32,963	532	1,670
2028	183,776	4,429	1,615	5,633	34,796	584	1,776
2030	186,320	4,560	1,658	5,781	35,530	604	1,818
Total Growth		46.7	40%	39%	30%	60%	34%
Annual Growth		2.1%	1.8%	2%	1.4%	2.7%	1.5%

This forecast is more reserved than the recent decade (1998-2008) of more expanded population alone would suggest. This is largely occasioned by long term, historic case filing trends which greatly mollify erratic swells in population. Taken together, case filing and population data balance each other and have proven to be a reliable measure of local justice system growth.

Consequently, to keep pace with workloads and demand, the number of Court of Common Pleas judges should rise to seven (7) by 2027 or 2028.

Table: ES-4
Estimated Number of Court Judges

Year	NCSC Projections		
	Total Case Filings	Percent Change (From 2010)	Judicial Officer Need (President and Regular Judges)
2006	8,143		4
2007	8,327		4
2008	8,821		4
2009	8,991		4*
2010	9,161		5**
2011	9,334	1.88%	
2012	9,506	3.77%	
2013	9,679	5.65%	5
2014	9,851	7.53%	
2015	10,024	9.42%	
2016	10,196	11.30%	
2017	10,369	13.19%	
2018	10,542	15.07%	5
2019	10,715	16.96%	
2020	10,888	18.85%	
2021	11,059	20.72%	
2022	11,231	22.59%	
2023	11,402	24.46%	6
2024	11,574	26.33%	
2025	11,745	28.21%	
2026	11,917	30.08%	
2027	12,088	31.95%	
2028	12,260	33.82%	7
2029	12,431	35.69%	
2030	12,602	37.56%	7

* The president judge retired January 2, 2009 and is serving as a part-time Senior Judge, leaving 3 full-time judges.

** The new judge position, the fifth judge, was approved in 2008 with the election for both the new position and the position vacated by retirement to occur in 2009 with seating in January 2010. Refer to Appendix E

Corresponding to the projected judicial caseload increase of nearly 38% between 2010, when the fifth judge is expected to be seated, and 2030, it is estimated that the judicial FTE will increase from four in 2008 and five in 2010 to seven FTE by the year 2030. The actual four FTE and estimated seven FTE for judicial staffing include positions for both Franklin and Fulton County workloads. NCSC staff also reviewed historic judgeship in Franklin and Fulton Counties

Table: ES-5
Historic and Projected County Population and Case Filing Ratio to Judgeships
1994-2030

	Year	Judgeships	Case Filings	County population	Judgship to cases ratio	Judgship to Population ratio
Historic	1994	3	5,019	138,597	1,673	46,199
	1995	3	5,256	139,474	1,752	46,491
	1996	3	5,230	140,310	1,743	46,770
	1997	3	5,409	141,304	1,803	47,101
	1998	4	5,727	142,113	1,432	35,528
	1999	4	6,860	143,129	1,715	35,782
	2000	4	7,422	143,572	1,856	35,893
	2001	4	7,477	144,375	1,869	36,094
	2002	4	7,456	145,576	1,864	36,394
	2003	4	7,644	146,913	1,911	36,728
	2004	4	7,680	148,823	1,920	37,206
	2005	4	8,071	151,617	2,018	37,904
	2006	4	8,143	154,441	2,036	38,610
	2007	4	8,327	156,604	2,082	39,151
projection	2010	5	9,161	160,060	1,832	32,012
	2013	5	9,679	164,068	1,936	32,814
	2018	6	10,542	170,856	1,757	28,476
	2023	6	11,402	177,416	1,900	29,569
	2028	7	12,260	183,776	1,751	26,254
	2030	7	12,602	186,320	1,800	26,617
				historic average	1,834	39,704
				projected average	1,830	29,290

Justice system staffing would likewise increase, projected to reach 276.5 in 22 years (2030), exclusive of Common Pleas' judicial positions, an increase of nearly 80 new positions above the current 196.75 personnel. This is approximately a 38 to 40 percent increase.

Table: ES-4
Current and Projected Staffing Estimate Summary

	CURRENT		PROJECTED				
	2008 FTE		2013 FTE	2018 FTE	2023 FTE	2028 FTE	2030 FTE
Court Judges	4		5	6	6	7	7
Judicial Staff and Court Administration	34.75		44	51	53	59	59.5
Magisterial District Court	5		5	5	5.5	6	6
Sheriff's Office	21		23	24	25	27	29
Prothonotary	8		8.5	9	9.5	10	10
Clerk of Court and Orphans' Court	8		9	10	11	12	13
Domestic Relations	28		30	31	33	34	35
District Attorney	21.5		24	26	28	30	31
Juvenile Probation	24		24.5	25	26	27.5	28
Adult Probation (Walker Rd./Opportunity Ave.)	35/8		38/9	40/10	43/10	45/11	45/12
Public Defender	11.5		13	15	16.5	18.5	20
Total FTE Studied (with only Walker Road Adult Probation):	200.75		224	242	256.5	276	283.5
Total FTE Studied (Incl. Both Adult Probation locations):	208.75		233	252	266.5	287	295.5

This trend line may be further reduced on the assumption that technology and business process streamlining will improve efficiency over the next two decades, simplifying work and speeding justice system decision-making. Scientific evidence, ADR, and digitized recordkeeping are examples.

Records Management Practices Need Attention to Insure Wise Use of Space

There appears to be no system-wide efforts to monitor, control, manage and dispose of paper records. Studies have shown that roughly 50 percent of the cost in operating a court system is related to maintaining records of legal status. The more paper records can be created and managed efficiently, the greater are the savings in space, personnel, equipment, time and money. The NCSC consultants did not observe much efficiency in paper records management in the various elected court row offices or the justice system in general. Older records appear to be stored without regard to any retention or destruction schedules. Consequently, the consultants suggest a justice system wide records inventory be initiated, and retention/destruction schedules be researched and followed.

Electronic Document Management and Imaging Coordination is Needed

The NCSC consultants found no coordination or enterprise-wide management of electronic documents and imaging. Most elected row offices, justice agencies, and the court have some kind of scanning and imaging project in operation, but there is little concern on how effectively digitized images are indexed and congruent with a collateral electronic case management system. Part of the reason is the fact that numerous disparate, unconnected computer systems exist, the state AOPC controlling in many respects what the courts and justice agencies are able to do or plan. It also appears that the AOPC is some years away from integrating the separate systems they support.

It is important for management, customer service, and space reasons that the courts and justice agencies move toward electronic imaging that is incorporated as a component of a digitized case and cash management indexing system. In the meantime, the justice system will suffer from dual paper and electronic configurations and an ever growing need to convert paper records to digitized formats resulting in additional work that the offices are not staffed to perform. Realizing this as a major issue is the first step. The second step could be a coordinating effort, given the common goal of a new, efficient Judicial Center, by the new County Information Technology Department to more logically address enterprise-wide electronic document management and imaging within the County.

Technology Directions in a New or Remodeled Judicial Center Should be Far Sighted

E-Filing should be pursued by all offices targeted to be located in a new or remodeled Judicial Center. To the extent possible, it should be coordinated via the new County IT Department.

The judicial suites, courtrooms, and hearing rooms should be equipped with hi-tech solutions to information flow, evidence presentation, and recordkeeping. In this regard, multiple screens will likely be the norm, including tablet PCs, in formal adjudication space, as well as chambers and support staff spaces.

Audio/video and computer based conferencing should be planned. Central audio/video controlled equipment and monitoring centers are becoming quite cost effective, including video and audio transcript systems. They may also be used for security surveillance.

Serious consideration should be given to wireless systems to reduce costs. Both private and public Wi-Fi systems are good directions to embrace.

Nine recommendations are offered for consideration as minimum, initial technology that should be installed in remodeled or new courtrooms, including document evidence cameras,

whiteboard, flat panel evidence presentation systems, video projection, sufficient system-wide back-up projectors, planned acoustical “footprint,” infra-red or wireless emitter for ADA and language interpretation, “white noise” system for side-bar conversations, audio system with video device input capability.

Public Access and Use of a New or Remodeled Judicial Center Must be More Streamlined

The Franklin County Courthouse, as it is configured presently, is very confusing to visitors. A new or remodeled facility should be easier to use and more efficient for the public in conducting business with the court and justice agencies.

The NCSC consultants recommend serious consideration be given to a multi-agency customer center concept where a centralized, ground or entry level service hub is the focal point in serving commonplace, high volume public needs easily and quickly. Coupled with clear directional signage, this innovation is growing more evident in courthouse remodeling and new construction and has proven to reduce traffic on upper floors, enhance public satisfaction, and improve the speed and efficiency in delivering public services. Advanced technology can complement this design scheme through the use of kiosks, Internet services, and courtroom data displaces outlining the day’s docket to help in appearance scheduling.

Flexible Adjudication Space Should be a Major Feature in a New or Remodeled Judicial Center

Multi-purpose, adaptable space use is being embraced by many courthouse planners in future buildings. Jury assembly rooms should be structured to be training or meeting spaces when jurors are not present. Problem-solving courts (e.g., drug courts, domestic violence courts, mental health courts, etc.) are spaces that need to be configured differently from traditional courtrooms. These diagnostic-focused adjudication facilities require space for support staff, electronics, and numerous parties. Front-end felony processing forums such as the Central Court Calendar, are further examples of specialized space requiring the presence of multiple parties and adjunct conference rooms for attorney client discussions all targeted toward early resolution of criminal matters.

The “collegial chambers” concept should be explored in planning for the new or remodeled Judicial Center. Here, judges office together in a portion of the courthouse and travel to various courtrooms depending on their assignments. There is not a one-to-one relationship with a courtroom and chambers. Many law firms and other professionals operate in this fashion.

Security Must be Enhanced

There are many flaws and shortcomings currently at the Franklin County Courthouse regarding security. As with many dated buildings, present day security requirements were not a factor years ago. Perimeter and public entry security should be largely improved in a new or remodeled Judicial Center. Prisoner holding is also very problematic. Separate security zones for the public, staff, prisoners, jurors, and judicial officers should be established in any new facility.

II. EVALUATION OBJECTIVES AND BACKGROUND

At the request, and under contract to the County of Franklin, the National Center for State Courts (NCSC), a public benefit corporation dedicated court and justice system improvement, has been engaged to

- Project judicial and court staffing needs over the next 25-30 years
- propose records management improvements
- Recommend appropriate justice system technology growth
- suggest courthouse access and use enhancements for the public
- evaluate adjudication space needs relative to best practices nationwide
- Advise court and county leaders regarding courthouse security upgrades

The 39th Judicial District Court of Common Pleas, in Chambersburg, Pennsylvania, serves both Franklin and adjacent Fulton Counties. For the purposes of this study, Franklin County is the single focus of our analysis.²

Only those Court-related functions envisioned to occupy a new or remodeled County Judicial Center (Old Courthouse and adjacent Courthouse Annex), and any constructed or remodeled nearby support buildings composing a downtown Justice Campus within the Borough of Chambersburg are targeted. They presently include the Court of Common Pleas, Clerk of Courts, Prothonotary, Clerk of the Orphans' Court Division, Court Administration, Register of Wills, Jury Commission, District Attorney, Public Defender and Sheriff.³ Functions currently outside the County Judicial Center, but close to the courthouse, include the Chambersburg Magisterial District Court and the Court of Common Pleas' Domestic Relations Section (child support establishment and enforcement) located a few blocks away in the County Administrative Annex Building. The Sheriff is headquartered at the Courthouse Annex.

A significant advantage the Franklin County Justice System has in going forward on space and building planning, the NCSC consultants conclude, is the collaboration that exists among the various justice partners in sharing space, coordinating workloads and cooperating in developing future options. This is not often the situation in county-based caseflow systems throughout the

² Fulton County, located to the west of Franklin County, is largely rural in nature. The services and time required by Common Pleas' judicial officers in handling their workload is limited. Fulton County population and caseloads are not projected to grow dramatically in the next two decades.

³ Only elected row officers and appointed court officials providing direct caseflow support to the court were reviewed.

county. It is especially noteworthy in Pennsylvania where a number of independent elected officials are charged with directing major components in case processing.

NCSC consultants conducted two separate on-site visits to Franklin County to review facilities, carry out interviews and gather data. Our conclusions and recommendations are grouped in six areas: *key workload indicators and projections (case filings, population trends, methodology, and “best fit” ratios of cases to population), records management, technical directions, public use and access, adjudication space, and security.*

III. NEAR TERM WORKLOADS STABILIZE--SPACE CONSTRICTS

The Court is presently certified to receive a fifth judge based on caseload. NCSC consultants learned in mid-October 2008 that the Pennsylvania Legislature authorized this additional judgeship. It is, also, understood that Judge Walker is expected to serve as a senior (part-time) judge in CY 2009; his replacement unlikely to be selected until the November 2009 general election and seated in January 2010. Resultantly, court space constrictions can reasonably be projected to be felt next year as a greater number of judges serve the Court.

Historically, the growth in judges has been accommodated by providing make-shift space initially until the County and Court agree on more permanent remodeling. As an example, when the Court grew from three to four judgeships, County Administration moved from the Courthouse to an adjacent renovated bank building. The actual planning, reallocation and reconstruction of space took a few years, however. This scenario is apt to be followed in 2009 as well.

IV. DESCRIPTION OF THE COURT AND COUNTY OFFICES

This section contains an inventory of all county, court and court-related offices that are included in this county facility planning project. The organization, staffing, and primary functions or operations of the various offices that are currently located in the Franklin County Courthouse are described.

The Commonwealth of Pennsylvania includes 67 individual governmental units designated as counties. These counties are classified based on population figures certified during the most recent U.S. census, ranging from the first class county of Philadelphia to the eighth class counties, e.g., Cameron, Forest, Fulton, etc.

A. Court of Common Pleas

The Court of Common Pleas for the Thirty Ninth Judicial District encompasses both Franklin and adjacent Fulton Counties. It has general, original jurisdiction of all civil and criminal matters, except those under the Magisterial District Courts' jurisdiction. There are seven District Courts in Franklin County; only one, the Chambersburg District, is targeted to be part of a new or remodeled Justice Center Complex in Chambersburg, the county seat. The following table (Table 1) shows the specific case types and other matters that are handled by each specialized division of the Court of Common Pleas:

Table 1

Franklin County Court Summary of Case Types and Other Matters

Criminal	<ul style="list-style-type: none"> - Felony - Misdemeanor - Summary Appeal
Civil	<ul style="list-style-type: none"> - Abuse - Family (Divorce, Custody) - Other (civil suits, mortgage foreclosure, and license suspension appeals)
Domestic Relations	<ul style="list-style-type: none"> - Spousal Support - Child Support - Collections
Orphans' Court Division	<ul style="list-style-type: none"> - Adoptions - Relinquishments/ Terminations - Other (guardianship, wrongful death, family settlements, first and final accounts) - Marriage Licenses
Juvenile	<ul style="list-style-type: none"> - Delinquency - Dependent

Direct Judicial Court Staff

Table 2 shows the number of Judicial Court staff by departmental function in 2008. The Judicial “Team” is composed of one judge, a judicial secretary, one law clerk, one court reporter, a court crier, and two tipstaff.

Table 2
Current Judicial Staffing

<u>Staff</u>	<u>2008</u>
Judge	4
Judge's Secretary	4
Judge's Law Clerk	4
Judge's Court Reporter	4
Court Crier	4
Tipstaff	8
Total	28

B. Court Administration

The Office of the Court Administrator provides assistance and administrative support to the various departments of the Court. This includes functions such as personnel and human resources, fiscal operations, budget management, jury management, public relations and liaison functions with various groups and agencies. The Court Administration Office schedules court hearings and trials, pretrial conferences, arbitration, conciliations, sheriff sales and manages the court reporting. In addition to the administrative functions, the Court Administrator oversees the Offices of the Juvenile Court Master and the Divorce Master.

Juvenile Court Master

The Juvenile Court Master functions as the hearing officer for Juvenile Court. The Office holds hearings in both dependency and delinquency proceedings and prepares findings and recommendations for judicial review and record and store proceedings and recordings. The office interacts heavily with Children and Youth Services caseworkers, Juvenile Probation, and the Juvenile Court Judge. Currently, the Juvenile Court Master Office is staffed by one person.

Court Administration Staff

Table 3 shows the number of Court Administration staff by departmental function in 2008

Table 3
Current Staffing

<u>Staff</u>	<u>2008</u>
Court Administrator	1
Deputy Court Administrator	1
Central Court Coordinator	1
Administrative Assistant	1
Secretary	2
Interpreter	1
Juvenile Court Master	.5
Divorce Master	.5
Divorce Master Secretary	.25
Jury Commissioner	2
Total	10.25

C. Magisterial District Court

The Magisterial District Court handles all criminal summary offenses, traffic, non-traffic, private complaints, and minor civil, and landlord/tenant complaint hearings. The site location is set by the County per the state statute and interacts heavily with the Police Department, Probation Department, Sheriff's Office and constables. The Magisterial District Court can see up to 75 to 85 public visitors per day, and on large arraignment days up to 35 public visitors at one time. It is important to note that video conferencing is planned to be installed in the next several months, this additional technology may have an impact on the current working practices, efficiency of handling caseload and possible future staffing implications.

Magisterial District Court Staff

Table 4 shows the number of Magisterial District Court staff by departmental function in 2008

Table 4
Current Staffing

<u>Staff</u>	<u>2008</u>
Magistrate Judge	1
Court Administrator	1
Court Clerk*	4
Constable**	3
Total	6

* Note: Court Clerk has 4 positions but are only 3 FTE in projections in subsequent sections of the report

**Note: Because Constables are shared throughout the district, the total staffing of the Magisterial District Court in Chambersburg will not include these positions in the total staffing count.

D. Franklin County Office of the Sheriff

The Franklin County Office of the Sheriff is an integral part of the Courts Department, providing a wide variety of services to the public and the Court. The sheriff's office has responsibility for transporting prisoners from the jail to the courtrooms, detention of prisoners while they are in the courts, serving civil and criminal documents for the court and the community, serving warrants for the court, and issuing firearms licenses. The Office also staffs the courthouse metal detection screen station.

Office of the Sheriff Staff

Table 5 shows the number of Sheriff Office staff by departmental function in 2008

Table 5
Current Staffing

<u>Staff</u>	<u>2008</u>
Sheriff	1
Chief	1
Deputy Sheriff	15
Secretary/ Clerk	3
Temporary Staff	1
Part-time Security Personnel	8
Total	21*

*Note that Security Staff Total does not included eight part-time security officers at entry checkpoints at the courthouse, administrative annex and the Human Resources Building.

E. Prothonotary

The Prothonotary is an elected official responsible for overseeing all civil records in the Court of Common Pleas, including all civil suits, tax liens (Federal and State), Mechanic's Liens and Stipulations against Mechanic's Liens, Waiver of Liens and judgments. In addition to serving the court, the Prothonotary's Office is a designated acceptance agent for U.S. passport applications. The office's responsibilities include, but are not limited to, filing and docketing cases, processing petitions, appearing in court for bench warrant hearings, managing copies of documents in files and exhibits, collecting filing fees and costs, scanning documents and indexing cases. This includes maintaining the Judgment Docket, also referred to as the Index Docket, in which all judgments are entered. When a bank note or money note is brought into the office to be entered, staff give it a number and file it. After the judgment is filed and indexed, it is recorded in the Appearance Docket. The Prothonotary Office works closely with the Sheriff's Office to take filings to be served to the public as well as the general functions of Court Administration and the judges. See Appendices A and F for supplemental case and workload information.

Prothonotary Staff

Table 6 shows the number of Prothonotary staff by departmental function in 2008

Table 6
Current Staffing

<u>Staff</u>	<u>2008</u>
Prothonotary	1
First Deputy	1
Second Deputy	1
Clerk	5
Total	8

F. Clerk of Courts and Clerk of Orphans' Court

The Clerk of Courts is an elected official with responsibility for the care and custody of all records of Criminal Court and Juvenile Court proceedings in the Court of Common Pleas. In conjunction with the responsibilities of processing these cases, the Clerk of Courts' staff receives court costs, fines, and restitution payments and distributes these monies to the applicable governmental units and victims. The Clerk of Court Office processes and maintains all official documents of criminal cases, provides services to the general public, attorneys, law enforcement and corrections that include, but not limited to, criminal background checks, certifications and exemplifications, processes Local, Superior, and Supreme Court appeals, processes and implements all aspects of bail bonding and record expungements, and facilitates certifications for the Pennsylvania Department of Transportation (PennDot). The Clerk also provides four courtroom clerks on a daily basis to attend to judicial proceedings.

The Clerk of Court is also the elected official of the Clerk of Orphans' Court with the responsibility to process and maintain official documents pertaining to the Orphans' Court Division, services to the general public, attorneys and the courts that include the processing, maintaining and issuance of marriage licenses, adoption records, guardianship records, first and final account records, and other estate matters. This office also processes Superior Court appeals in matters related to Orphan Court filings. All Orphans' Court clerks are cross trained in Clerk of Court duties to assist when needed in that office. The Orphans' Court works closely with Children and Youth Services, Court Administration, Court of Common Pleas' Judges and the Register of Wills.

The Clerk of Court and Clerk of Orphans' Court are two separate entities, but co-located at the same office area. Each office has its own duties/assignments and caseloads. However, in Franklin County the two offices operate like one. The staff in both offices are crossed trained and shared because of the office proximity. They don't differentiate the staffing between the two office entities and list the staff information together in the project survey.

Clerk of Court and Clerk of Orphans' Staff

Table 7 shows the number of Clerk of Court staff by departmental function in 2008

Table 7
Current Staffing

<u>Staff</u>	<u>2008</u>
Clerk of Court	1
Chief Deputy Clerk	1
Deputy Clerk	6
Total	8

G. Domestic Relations

The Franklin County Domestic Relations Office is part of the Court of Common Pleas. It oversees child and spousal support cases. The Domestic Relations Office handles all aspects of the child/spousal support program including establishing support orders, enforcing support orders, locating missing parents in support actions, filing complaints for non-support, spousal support and alimony pendente lite⁴ orders, and medical insurance/expenses problems between separated parents. Additionally, the department handles case initiation and determination in paternity matters. The current facility housing the DR group is a former, remodeled Sears store now dubbed the Administrative Annex. It is a multi-use building housing other functions, including the Chambersburg Magisterial District Court. The current building appears to adequately meet the current needs of the Department.

In 1998, PACES (Pennsylvania Child Support and Enforcement System) which is a statewide electronic case management system, was implemented. Originally, this change in automation was time consuming and difficult. There were constant changes to the system initially, but many of the problems have been ameliorated permitting much more efficient work processing and allowing the staff more time to review cases and provide adequate case management.

⁴ Pendente lite is a legal term meaning “while a suit is in progress” or “during litigation.”

Domestic Relations Staff

Table 8 shows the number of Domestic Relations staff by departmental function in 2008

Table 8

Current Staffing

<u>Staff</u>	<u>2008</u>
Domestic Relations Director	1
Client Service Supervisor	1
Client Services Specialist	4
Client Services Clerk	1
Enforcement Supervisor	1
Enforcement Officer	3
Enforcement Secretary	2
Enforcement Clerk	3
Hearing Supervisor	1
Hearing Officer	3
Scheduling Clerk	2
Hearing Clerk	2
Intake Supervisor	1
Intake Clerk	2
Staff Attorney	1
Total	28

H. District Attorney

The District Attorney's Office prosecutes misdemeanor, felony, juvenile delinquency and summary appeal cases in Franklin County. The office counsels law enforcement agencies on legal and investigative issues dealing with crimes. The District Attorney's Office recently has been required to determine restitution amounts, which led to the creation of the Restitution Coordinator position. Also, caseload management efforts led to the creation of Sentence Guideline Coordinator and County Detective positions. This office also works closely with the Public Defender and the Clerk of Courts.

District Attorney Staff

Table 9 shows the number of District Attorney Staff by departmental function in 2008

Table 9
Current Staffing

<u>Staff</u>	<u>2008</u>
District Attorney	1
First Assistant	1
Office Manager	1
ADA (Full time)	5
ADA (Part time) Each at .5 FTE	1.5
Sentence Guideline Coordinator	1
Restitution Coordinator	1
Legal Secretary II	2
Legal Secretary III	2
Drug Task Force Officer	3
County Detective	1
Victim Advocate (WIN Employees)	2
Legal Intern (Occasional)	1
Total	21.5

I. Juvenile Probation

The Juvenile Probation Office supervises juveniles between the ages of ten and 21 who are charged or convicted of a misdemeanor or felony. Pretrial matters are received via various parts of the Juvenile Justice System (law enforcement, schools, parents, etc.). The office also provides support services such as drug testing and referrals to counseling, and monitors community, school and family interaction behavior. Additionally, the office provides support to community services such as PACES, E.M., summer work programs and competency development activities. See Appendices D and E for Dependency Referrals.

Juvenile Probation Staff

Table 10 shows the number of court support staff by departmental function in 2008

Table 10

Current Staffing

<u>Staff</u>	<u>2008</u>
Chief	0
Deputy Chief	1
Supervisor	3
Probation Officer/ BARJ Coordinator	8
Clerk	2
Administrative Assistant	1
School Based Officers/ Intensive Officers	9
Total	24

J. Adult Probation

The primary responsibility of the Franklin County Adult Probation/Parole Department is to effectively monitor criminal offenders living and working in the community. This is achieved through rehabilitation and reintegration into the community, as well as ensuring safety and protection for both the victim and the public. New programs, legislative requirements, population growth and court requirements have all increased the staff workload and demand for additional new staff members. The Adult Probation Office has two locations, 440 Walker Road and 1804 Opportunity Avenue. For the purposes of total departmental staffing projections, both locations are combined.

Adult Probation Staff

Table 11 shows the number of Adult Probation staff by departmental function in 2008

Table 11
Current Staffing

<u>Staff</u>	<u>2008</u>
Walker Road	
Director	1
Supervisor	4
PO	19
Administrative	5
Collection Officer	5
Sub-Total	35
Opportunity Avenue	
Supervisor	1
PO	3
Administrative	2
Field Officer	2
Sub-Total	8
Total	43

K. Public Defender

The primary responsibility of the Public Defender is to provide legal representation to indigent individuals who are either the subject of a criminal investigation of a criminal charge in Franklin County. Each Attorney currently handles at least 500 cases per year. This is the maximum number of cases permitted per attorney. As the number of attorneys increase to handle a rising number of cases, support staff will correspondingly need to grow. The current staffing ratio is five support personnel to 6.5 attorneys.

Public Defender Staff

Table 12 shows the number of Public Defender staff by departmental function in 2008

Table 12
Current Staffing

<u>Staff</u>	<u>2008</u>
Chief Public Defender	1
First Assistant Public Defender	1
Assistant Public Defender	4.5
Investigator	1
Secretary	1
paralegal	1
Caseworker	1
Receptionist	1
Total	11.5

V. CURRENT COURT OPERATION ENVIRONMENT ASSESSMENT

A comprehensive assessment of the existing courthouse environment is an essential task to be performed during the planning phase of a major court facility renovation, construction, or relocation project. Physical problems confronted by the day to-day operation of the Judicial Branch in Franklin County, Pennsylvania diminish its capacity to deliver justice to the community and will more severely constrain the court in the years ahead if facilities are not improved in the near future. After a year-long investigation, and a series of on-site visits, the NCSC concludes the 39th Judicial District is in a demanding transition period; constrained by antiquated, outdated courthouses and support services while struggling to react to higher caseloads and the burdens of a more modernized judicial system. Essentially, court facilities are deficient and in some instances dangerous. They will become more so in the future without significant improvement.

In this report, the NCSC recounts its observations, outlines basic problems and challenges, and provides a set of objectives and recommendations to follow in upgrading the current situation. It does not specify overall facility solutions or options such as a remodeled or new courthouse; those are decisions for county and court officials to shape, and, ultimately, for the community to select.

Problems have been mounting for years as court and county officials have jury-rigged⁵ court and public space in judicial buildings to accommodate growing case volumes, statutory changes, additional judges, and mandated new programs. The public is often the loser as they are crammed into inadequate space, stymied by overloaded calendars, or shuffled from one office to another because of misplaced or missing court records and files due to storage problems. In the meantime, judges, county officers and court staff are left with very few options to remedy inefficiencies within current building limitations.

Candor in addressing space problems is essential. Problems that have been identified are real and clearly defined. All too often, court leaders have been overly willing to patch symptoms of deeper facility troubles rather than correct underlying causes. The reasons primarily result from piecemeal funding and a segmented, disjointed look at remedies. This multifaceted,

⁵ To rig or assemble for temporary use; to improvise from materials at hand when nothing else is available.

objective approach toward fundamental problems is an important step toward lasting improvements.

Based on interviews and observations, it is the NCSC's contention that many court leaders, as well as policymakers knowledgeable about the justice system in County Government, recognize its shortcomings. Their conclusions, although frequently anecdotal and devoid of hard data, are generally accurate. Many have watched the court and worked with it for years. Consequently, strength for Franklin County leaders in building a long-term, successful facilities program to address basic justice system space values — security, efficiency, fairness, dignity, growth — will find ready assistance and help from others.

Assessment Highlights and Conclusions

The NCSC's evaluation of the existing physical work environment of the court leads to the following conclusions:

1. Inadequate, outdated space causes serious inefficiencies now which will only be exacerbated in the future.
2. Courthouse security is very problematic, but can be marginally improved with a concerted effort.
3. Space and location problems cause confusion and difficulty for the public in conducting business with the court.
4. Limited space, poor building layouts, and structural inflexibility hold back the court's capacity to reach higher performance levels.
5. Delays in addressing court space and facility problems will be costly

These elements are central to any facility reforms. The need for system-wide coordination, another key factor in moving the court and county ahead, is also a given. The assessments on each of the major categories that affect the court operation and service to the public are presented in the following section.

ASSESSMENT AREA 1: Court Functional Space Adequacy

Court Functional Space Requirement

The primary function of a court of law is to responsibly adjudicate cases. In doing so, the court is charged with reducing unnecessary delay and doing justice in individual cases in a dignified and respectful manner. This has become increasingly challenging in Franklin County where new, high volume case processing approaches such as the “central court calendar” are structured to move criminal cases from arrest to disposition with dispatch. In a memory based system, where delay can work against the very purposes of courts to render timely justice, effective adjudication space is essential to the early resolution of cases.

This assessment category relates to the appropriateness of the environment created within the existing court facility and the adequacy of the space provided for the court and individual court-related offices within the facility. Space adequacy covers the amount of space needed to accommodate daily activities and operations, and the requirements for circulation, equipment, and storage.

Level of Effort/Importance: ☐ Long Term Issue
 ☐ Pertains to Core Purposes of Courts
 ☒ Case Processing and Delay Reduction Improvement

OBSERVATIONS:

General

- The existing space layout and level of occupancy in the courthouse and annex facilities do not permit expansion. Much of the available space for the court and court-related offices is at or near full utilization.
- There is little or no flexibility in the arrangement of courtrooms, office space, and hallways to accommodate growth of the court system.
- There is little designated public waiting space in the hallways outside of the courtrooms.
- Under the current storage practices, more storage, within reasonable proximity, is needed in all departments; currently paper file storage has filled every available storage room and even a few offices where possible.
- In attempts to resolve the lack of office space, many departments have “double-booked,” or assigned multiple staff to a single office or workstation.

Courtrooms

- Currently there is no courtroom available for the recently approved judge that will take seat in 2010.
- Some courtroom configurations lack flexibility and do not provide proper segregation and distance among court participants during court proceedings.
- More public spectator seating is needed in many of the courtrooms.
- There are times when the current confines are not sufficient, particularly on arraignment

days where a large number of individuals come to court.

- Courtrooms do not have sound-lock vestibules separating the courtroom from the public hallway and waiting areas. Often court proceedings are disrupted by the public entering and leaving the courtroom.
- Litigation “well” areas in most of the courtrooms are too small. The bars that separate the counsel area of the courtrooms from the public area should be moved back to allow additional room in the counsel area of the courtrooms, especially for litigation support equipment.

Courtroom Ancillary Areas

- There does not appear to be adequate jury deliberation space within the current courthouse configuration. Presently, a jury panel hearing court on the second floor of the courthouse annex must move to the third floor or fourth floor to the only jury deliberation suites in the facility.
- Central court is currently held in the jury assembly room which is inadequate in size and proper security measures to handle the very specify clientele of the space, which include hearing officers, court staff, public and in-custody defendants.

Judges’ Chambers/Judicial Support Space

- Given the likely expansion of the court and the increase in the number of active and senior judges serving the court in the future, additional space is needed (but currently not available) for judges’ chambers.

Court-Related Offices

- Most court-related offices within the courthouse are small and lack sufficient space for expansion, new employees, and accommodating the public adequately.
- The Row Offices (the Prothonotary Office, the Clerk of Orphans’ Court Office, and the Clerk of Court) are at near capacity for both staff and filing storage in the currently allocated space.
- There is inadequate public counter space and writing surface space for the public in the prothonotary’s office and the clerk of courts’ main office.
- The Sheriff’s Office, currently located in the ground floor of the Courthouse Annex, and has permanent work stations for less than half of the staff. The public waiting space is also considered to be very tight, especially when accommodating conflicting parties.
- The Juvenile Court Master Office is inadequate for work and records storage and there is insufficient space to conduct conferences with involved parties (attorneys, caseworkers, probation officers, etc.).
- The Juvenile Court Hearing Room lacks enough seating to accommodate all parties involved in proceedings.
- Adult Probation, housed at 440 Walker Road, is at near capacity with very little room to house the additional needed staff. The office needs a facility that either permits an addition or includes two large meeting/classrooms which would be used for conduct

- classes, DUI school and reporting.
- Juvenile Probation Office currently is housed in a facility with large shared areas and lacks private offices. This includes management causing a lack of privacy for professional interactions and routine meetings with clients. While the office does have room for a holding cell, drug testing rooms and evidence storage, the office lacks adequate space for file storage and a space for photographing juveniles as required by law.
- The District Attorney's Office is adequate for their staff needs; however, three part-time attorneys share a small office space. This should be a consideration in future planning.
- There are not enough conference rooms for staff and public, including victims and witnesses, throughout many of the offices.

COMMENT:

As caseloads rise, many courts, including the Court of Common Pleas in Franklin County, are forced to devise more productive ways to promote case resolutions early in the adjudication process. This is especially true regarding criminal matters where throughout America over 95 percent of the defendants plead guilty to reduced or negotiated charges. Only a very small percentage will go through the entire adjudication process. To that end, courts have structured meaningful events to crystallize issues, present indisputable facts, and promote justice as early as possible. The Judicial Branch in Franklin County has developed a series of hearings that do so, but the court is experiencing significant difficulty in conducting these events due to space limitations required by the size of the judicial calendars needing attention within speedy trial rules.

The "central court calendar" is a prime example of how the current facility inhibits efficiency and confounds front-end misdemeanor and felony operations. This event is a probable cause/preliminary hearing held every Tuesday generally involving as many as 20-25 incarcerated and 80 non-custody defendants often collectively representing over 150-175 separate charges. Two magisterial district judges simultaneously preside with lines of defendants waiting for each judge. A mixture of witnesses, attorneys, victims, and family members overflow the second floor jury assembly room, the largest available space for a makeshift courtroom. Nearby offices and hallways are used to meet with parties to review evidence and negotiate pleas. Some may call this "rough justice," but it is more accurately described as being chaotic, disorganized, unproductive and most disturbingly unsafe. It is a disaster waiting to happen.

Additionally, judicial chambers and offices for special juvenile and domestic relation case masters (judicial officers assisting common pleas court judges) are often too small to hold informal

settlement conferences and hearings, especially where there are more than three or four people involved. Small and few—conference rooms offer no real alternatives. This becomes increasingly problematic since high performing courts in today’s world commonly use alternative dispute resolution techniques in lieu of expensive formal litigation saving litigants both time and money.

PROBLEMS/CHALLENGES:

Courts need flexibility in adjudication space. The utility of large numbers of standardized courtrooms with permanent jury boxes, formal witness stands, implanted counsel tables and fixed audience seating is questionable today as judicial processes undergo different and better ways to resolve disputes. Courtrooms for tomorrow will need to be more adaptable and open to reconfiguration for various types of proceedings. That doesn’t negate the need for traditional jury and non-jury courtrooms, but it does challenge space designers and architects to plan in more adaptive and elastic ways.

Judicial workloads are hard to streamline when space restricts the ability to calendar in more efficient ways. Currently, the four Common Pleas judges are on a two-month rotation or term where each takes an equal portion of all case types. Dockets are structured around 60-day periods. Many multi-judge courts like Franklin County have discovered that increased calendar specialization promotes faster case processing and can offer more subject matter expertise as judges become more skilled in specific areas of the law. Regrettably for the most part, deficient space currently inhibits any widespread, more flexible division of work for judges at the Franklin County Courthouse.

One of the newest adjudication techniques—problem-solving courts—is especially resistant to intransient, traditional court space. These courts, sometimes called diagnostic tribunals, push judicial roles more toward a medical model since they commonly deal with deep-seated societal issues and addictive behavior not easily changed through incarceration or legal remedies alone. Drug courts, juvenile courts, and mental health courts are classic examples of diagnostic justice. These courts are designed to hold defendants accountable, promote swift, evidence-based treatment, actively involve the community in restoration and restitution for crimes committed, and break the cycle of recidivism saving society significant costs in the long run. They require a team of professionals in and around the court to work with defendants and report progress (or lack of it)

to the court. The judge, as the power figure, forces compliance, punishes willful failure, and rewards success through judicial decisions. It necessitates nontraditional, collaborative space where probation and treatment providers can monitor defendant behavior and collaborate easily together, yet the judge and judicial trappings are clearly evident to convey the power of the state as to the serious legal nature of the offense and corresponding need to reform. The courthouse in Franklin County cannot easily provide such an environment today.

OBJECTIVES/RECOMMENDATIONS:

- Judicial space in Franklin County should be reconfigured to encourage more flexibility. Currently, limited, traditional adjudication space impedes efficiency, causes more expensive, protracted formal judicial processes, and inhibits new, alternative dispute resolution solutions.
- Traditional jury and non-jury courtrooms continue to be needed, but they should be structured to be easily modified as the law, programs, and legal procedures change.

ASSESSMENT AREA 2: Efficiency and Effectiveness of Court Security

Court Security Requirement

American dedication to justice under law requires in the purest sense the absence of chaos, disobedience, and threats against the sanctity of the judicial process. The Rule of Law needs order, security, and a peaceful environment to flourish and promote public trust and confidence. Nowhere is that atmosphere destroyed more than when the safety and security of those using the court, or judicial officers and justice system staff serving the court, feel threatened or unsafe in exercising their constitutionally given rights and duties. Consequently, there is little doubt that court facilities must be safe and secure. The public should expect nothing less. In today's world, courthouses can be dangerous places; not just regarding criminal cases but in other highly emotional and volatile judicial proceedings such as divorce, class actions, malpractice cases, and child custody and visitation matters.

Courthouse security encompasses a number of different functions and can have different meanings. The general facility element of courthouse security relates to the threat of theft or vandalism. The circulation/segregation element minimizes unintended or inadvertent contact outside the courtrooms among judges, jurors, litigants, in-custody defendants, and others. Finally, there is the personal safety element, which is actually two distinct security issues--minimizing the threat or potential for incidents of violence, and appropriately responding to specific threats or actual incidents of violence.

Level of Effort/Importance:	<input type="checkbox"/> Technology Based for Short-Term Solutions <input type="checkbox"/> Structural Improvements for Long-Term Remedies <input checked="" type="checkbox"/> Immediate Safety Problem
-----------------------------	---

OBSERVATIONS:

General

- Generally, the building security is marginally adequate for all offices and departments.
- Security cameras are in place on every floor and in the courtrooms; however, there are still several blind spots throughout the building.
- Current parking arrangements for judges and court employees pose potential security problems. There is no secure parking for judges and designated court employees.
- The existing facility layouts restrict the sheriff's court security staff from adequately responding to security incidents in a timely manner.

Courtrooms

- The Juvenile Court Hearing Room does not have any designated area for the sheriff. The Court Master must use a panic button to alert the sheriff that is housed two floors below.
- There are no designated workstations in the courtrooms for the sheriff's court security officers.
- The current practice of moving in-custodies through the private staff hallway poses the highest security risks to the court and staff in the facility.

Courtroom Ancillary Areas

- There are no monitored access controls to various courtroom ancillary areas, such as jury deliberation rooms.
- Secure attorney/prisoner meeting space is not provided.
- The lack of separate victim/witness waiting space poses potential security risks. For example, during many protection from abuse (PFA) cases, the victim, who is attempting to get away from the alleged violence of a family member, may be subjected to sitting alone outside the courtroom in the hallway with the accused family member before, and sometimes after, court proceedings.
- Currently, internal courthouse prisoner holding rooms in and around the courtrooms and hearing rooms are inadequate. They are merely segregated, small rooms without secure construction.
- Furthermore, incarcerated defendants are transported through private judicial and staff hallways and are in close proximity to jurors and the public due to the present configuration of the courthouse and court annex.

Judges' Chambers/Judicial Support Space

- The facility currently only has one judge's suite that offers unrestricted access from the public, all other chambers/secretary/law clerk office spaces are secured from public circulation.
- The facility that currently houses the magisterial district court has no security devices or procedures in place at this time; however, with the transition to the new facility, this problem should be mitigated.

Court-Related Offices

- Panic buttons are located throughout the Clerk of Court's Office and staff feel secured within the office.
- The Sheriff's Office reception desk does not have a locked door between the public waiting area and the private office space.
- The Adult Probation Office uses several surveillance cameras for supervision of offenders while they are on-site.
- There are few, if any, security provisions to prevent the public from wandering freely into many court-related office work areas.

- Panic/duress alarms are not located in all offices.

COMMENT:

Security in and around the old courthouse, courthouse annex and other court buildings is marginal at best. Best practices related to facility construction and design as well as equipment used for security purposes is problematic. Little security exists around the exterior of judicial facilities aside from the new county jail which contains an initial appearance courtroom and video equipment for use in electronic hearing connections to the courthouse. Parking safety is virtually non-existent for the public, employees and judicial officers at the courthouse and other court buildings.

There are a series of difficulties regarding access to court buildings. No modern, interconnected intrusion alarm system appears to exist to counter unauthorized break-ins on a 24/7 basis. Entry screening, although in place at various court locations, is not at a heightened enough level to thwart an aggressive assault. Four full-time equivalent positions in the Sheriff's Office staffed by eight part-time employees who work 20 hours per week covering three buildings (courthouse, annex, human resources building) staff the metal screening stations at the public entrances.

The court and county have done a good job at reducing public ingress to one main entrance at each of the three buildings. Best practices require a magnetometer, x-ray machine, hand-held screening wands, a duress alarm and a CCTV camera(s). All high use entry screening stations should be staffed with three security officers, one of whom should be certified and armed using a triple-retention holster. Judicial officers should have a separate entrance, ideally going directly from secure parking to their chambers via tightly controlled proxy cards without ever having to walk through an area where the public has access. Presently this is not the case in the courthouse. Staff should use the same secure judicial entrances. Vendors making deliveries should be screened at a secure loading dock and packages screened as appropriate.

A significant problem in the Franklin County court buildings relates to the transport and housing of in-custody defendants. The inmate entrance to the courthouse is not secure from pedestrian or vehicular intrusion of any kind. Also, holding cells in the courthouse are

not secure, essentially, they are reinforced small office or storage rooms. The holding facilities are among the worst the NCSC project team has observed in a jurisdiction the size of Franklin County.

Secure circulation zones inside the courthouse are non-existent. These zones are often conceptualized as concentric circles with the least protective zone for the public as the outer ring and the most secure inner zones either for judicial chambers or inmate transport. Separation of security zones should be rigorously enforced. Unfortunately in Franklin County, inmates are escorted through back hallways where chambers are located—a very high-risk practice.

Segregation in elevators and stairwells is lacking. Judges do not have elevators dedicated exclusively for their use and programmed to deny access to other users (these elevators should open only in secure areas). Mingling of inmates with the public in elevators, stairwells and hallways should be strictly avoided.

Courtrooms and other adjudication spaces should have monitoring devices, duress alarms, CCTV cameras and suitable locks on all doors. Digitized unified video and security systems are interoperable with video signals now capable of traveling over the same computer networks that data travels. Not only does this save money, but provides the versatility of any networked digital video camera, with proper security access, to be monitored by any computer on the same network within or outside a court building. A “video anywhere” concept is possible which certainly can enhance security and lower cost.

PROBLEMS/CHALLENGES:

The Franklin County court facilities need security upgrades in numerous areas. Not only does building space need to be re-designed with enhanced security and safety in mind, but advanced technology should be more widely employed to monitor and protect building occupants and the general public. Admittedly, most courthouses and allied leased or purchased court facilities were never built or intended to be retro-fitted with expansive security networks. Unfortunately, today’s threats and dangers pose real problems for judicial facilities. One need only review recent courthouse tragedies to understand the potential for disruption and mayhem that can occur... 2005 Incident: Brian Nichols on trial for rape at the

Superior Court in Atlanta escaped, murdering the trial judge, a court reporter, a sheriff's deputy and later a federal agent before being caught 26 hours later... 2008 Incident: When asked to put his backpack through a courthouse x-ray machine in St. Petersburg, Florida, a visitor unzipped his backpack, pulled out a gun and began firing at court security officers before a wounded officer returned fire and killed him... 2008 Incident: On June 23, Gordon Wheeler was fatally shot by three law enforcement officers when he brandished a gun inside the Morrison County Government Center in Little Falls, Minnesota... 2009 Incident: On March 4, a man on trial for killing his girlfriend was shot to death by an armed police detective who was inside a Stockton, California courtroom as a witness in the case after the defendant attacked and stabbed Superior Court Judge Cynthia Fox who was presiding over his trial. The judge had minor wounds... 2009 Incidents: The Bulloch County Courthouse in Statesboro, a community of 23,000 residents in eastern Georgia, has experienced a number of burglaries over the last 60 days where undisclosed amounts of cash have been stolen. County officials are looking into tighter security measures.

OBJECTIVES/RECOMMENDATIONS:

Without significant remodeling or construction of a new facility, three major technologies will raise minimal security levels around and in Franklin County court facilities, namely closed circuit TV (CCTV) surveillance cameras, more pervasive intrusion alarm systems, and strategically placed duress alarms. A comprehensive security audit is also recommended to identify specific issues and locations for enhanced security devices and their monitoring. These three technologies provide essential tools that play a vital role in effective, minimal security. All three must interrelate with one another.

Upgraded court security can be implemented in existing or newly designed courthouse facilities without making the working environment an armed camp. Retro-fitted solutions, of course, are never as good, transparent, or pervasive as those developed in concert with a new building.

ASSESSMENT AREA 3: Space Adjacency Between Functional Areas in the Courthouse

Court Functional Space Adjacency Requirement

Courthouses are the focal points of the justice system and one of the most enduring symbols of the Rule of Law. Yet many of the more than 4,000 city and county courthouses in America are overcrowded, dysfunctional, poorly designed, and unsystematic for today's world. Although a recognized principle of modern architecture and building design is: ***form should follow function***, in other words, the shape and organization of a building should be primarily based on its intended function or purpose, the principle loses much of its relevance with the passage of time as functions, technology and procedures change. It is true with homes, offices, and retail buildings, as well as public buildings such as courthouses. To a large extent, the Franklin County Courthouse is outdated. The judicial functions going on inside the Courthouse must be contorted to fit outmoded space resulting in numerous inefficiencies.

Level of Effort/Importance:	<input type="checkbox"/> Long Term Issue
	<input type="checkbox"/> Productivity Issue
	<input checked="" type="checkbox"/> Infrastructure Problem

OBSERVATIONS:

General

- The prisoner circulation system is not completely separate or secure. In-custody defendants are transported to and from courtrooms through private staff circulation.

Courtrooms

- In general, courtroom layouts follow traditional adjacency and floor circulation features, but space allocation and utilization could be improved.
- The Divorce Master Hearing Room does not have a direct connection to the private staff circulation. The judicial officer must pass through the adjacent courtroom or public hallway to access the hearing room.
- While the connecting bridge between the old courthouse and the courthouse annex is efficient for staff purposes, the two public entrances are often confusing and inefficient for those accessing the courts.

Courtroom Ancillary Areas

- The lack of properly located courtroom ancillary facilities, such as attorney/client conference rooms, victim/witness waiting rooms, prisoner holding areas, and public waiting space adversely impacts the operational efficiency of the court.
- The Jury Assembly Room is located on the third floor of the courthouse annex, this requires a large volume of the public to travel up two floors through the facility utilizing the already over-used stairs and elevator systems.
- The Jury Assembly Room, located directly across from one of the courtrooms, is often loud and disrupts court proceedings when both rooms are in use simultaneously.

Court-Related Offices

- The clerk of courts costs/fines counter is not close to the main entrance of the building. Public traffic accessing this office intensifies the use of the building elevators and stairways.

COMMENT:

Aside from adjudication space problems outlined elsewhere in this report, two other complex inefficiencies in workflow and productivity are influenced by outdated, hard-to-use courthouse space: records management and organizational development. Both are key factors in the cost-effective operation and improvement of judicial systems.

Over 50 percent of the operating costs of a trial court are related to making a record of legal status, as estimated by the NCSC based on computer, video, audio and paper information systems; court transcripts; data entry; records updating, retrieval and warehousing; exhibit storage and cataloging; accounting, collection and financial systems; briefs, motions and legal supportive documents; document management systems; e-filing; scanning and imaging; and website and Internet development, maintenance and upkeep. Most of the records processing within the courts of Franklin County are paper based. Where computer systems exist, they are often stand-alone operations with little, if any, interoperability or integrated information flows. Some of the problems rest at a confusing nexus between county and state plans and systems. The court is often caught in the middle, mandated to adopt and use state-based automated case information solutions yet dependant on day-to-day information from county-based law and justice offices which may not have access or update capability on state systems. These county offices include the district attorney, public defender, jail, sheriff, and independently-elected row officers (Clerk of Common Pleas Court, Clerk of the Orphans' Court, and Prothonotary) who oversee court records, manage files, collect and account for fines, fees and costs, and provide courtroom clerks. NCSC consultants did not observe much efficiency in records management in the various elected court row offices or the justice system in general. Older records appear to be stored without regard to any retention and destruction schedules. Electronic imaging projects are prevalent, but most systems are not indexed or congruent with collateral digitized case management systems.

Organizational development targets improved collaborations and better interrelationships between separate offices engaged in related work processes and functions. Such is the need among the various agencies supporting judicial processes, most notably the local row officials. Too often

row officers operate in isolated, separate organizational “silos,” working against the very goals they are trying to achieve—improved efficiency, reduced costs, better customer service, and orderly enterprise-wide work processes. The barriers between disconnected tasks are especially evident when workflows run across organizational lines as they so often do within judicial systems.

PROBLEMS/CHALLENGES:

Records management (RM) is frequently thought of as a low-priority function that receives a flurry of attention only when essential information is lost or otherwise unavailable, disorganization results in unreasonable time and expense for information retrieval, or an inordinate amount of expensive office or facility space is dedicated to dead storage. However in the context of this assessment, it holds meaning in the efficient use and design of space. Further, RM embraces both paper and digitized records as an ongoing venture that must be managed collectively. Data custodians should seek to reduce lost, misfiled and erroneous data; provide faster search and retrieval; reduce storage space; organize information for better access; streamline data entry and decrease redundancy; maintain accurate inventories of ownership, chain of custody and audit trails; preserve data throughout its useful life; and implement orderly, continual retention and destruction measures. As such, RM standards throughout the court and its support agencies should be reviewed, ways to more effectively incorporate new recordkeeping technologies and digitized data solutions to reduce the need for paper storage should be investigated, and mechanisms to coordinate interrelated information flows among separate, independent offices should be developed. At this time, it would be difficult, if not impossible, to create a high-level map of workflows and business processes among the courts and court-related agencies.

Pennsylvania is one of a shrinking number of states with numerous independently elected row officers supporting the judicial system. There is a trend among state courts nationally away from what some have labeled “Jeffersonian Democracy” (the creation of numerous elected offices at the local and state levels to promote the rights of the individual and prevent government tyranny) where many local row officials (the term “row offices” developed in the 1800’s since many of those elected to separate positions had their offices in a row on the ground floor on both sides of a long corridor in many courthouses throughout America) are elected toward consolidation of those offices and appointment of their top department heads. The percentage of states with appointed clerks of court

serving general jurisdiction courts has increased from 29 percent in 1980 to 40 percent in 2004 (source: NCSC data bank). An example in Pennsylvania occurred in Allegheny County (Pittsburgh) with a referendum in 2005 consolidating the offices of the Clerk of Courts, Prothonotary, and Register of Wills/Orphans' Court Clerk into an Office of Court Records with an appointed department head. The trend toward consolidation and appointment recognizes not only the work of trial court support services as primarily management based, but also responds to the greater sophistication in processing records and information electronically.

OBJECTIVES/RECOMMENDATIONS:

Seamless information flow, coordinated and interrelated digitized data systems, and cost-effective records management improvements should be primary objectives in moving forward by Franklin County to better space use and design related to records. It can only come about with a systems rather than parochial view of operations and processes. Here, court and county leaders must stimulate and guide efforts beyond the boundaries of their direct reports by creating supporting coalitions to mesh the common interests of all justice groups—elected and appointed—in the pursuit of enterprise-wide decisions. Top officials must champion inter-agency, inter-court task forces or teams of carefully chosen middle managers who are self-starters to re-engineer information processes. Coalition members must be among the best and brightest managers who look first to how they can help others and take a customers' point of view. One mantra to follow is: data must be captured once at its source, and then shared with separate organizations on the basis of need. The end game in rebuilding better information and records flows in the courthouse and among its many justice system functionaries is greater productivity, elimination of unnecessary work, higher work product quality, and improved public service. The new County Information Technology Department should be catalyst in doing so.

Regarding organizational development, NCSC consultants are not suggesting that the separate clerks' offices in Franklin County be consolidated. We are encouraging, however, that in any re-design or improvement of space utility, the offices be co-located, encouraged to share technology and recordkeeping systems, develop effective and ongoing cooperation strategies, and approach their services from an enterprise-wide perspective. A helpful assist in doing so may be one or more outside facilitators to stimulate collaboration, identify wasteful processes, and find common

ground for improvements.

ASSESSMENT AREA 4: Public Access to Court Services

Public Access Requirement

To most people, courthouses are mysterious and uncomfortable places. Many court buildings are outdated and confusing, frustrating visitors who likely are already stressed at having to come to the courthouse in the first place. Unfortunately, many judicial facilities are also neglected and decayed, exacerbating an already uneasy feeling among the public. Even though many county and court leaders valiantly struggle to provide money and initiatives to address such common problems as building code deficiencies, government mandates for the disabled/handicapped, and worker safety standards, improvements are too often few and unnoticeable.

Level of Effort/Importance:	<input type="checkbox"/> Long Term Issue <input type="checkbox"/> Customer Service Issue <input checked="" type="checkbox"/> Efficiency Problems
-----------------------------	--

OBSERVATIONS:

General

- The courthouse is conveniently located in downtown and there is easy public access to the building.
- Because of the limited building footprint, services within the courthouse are separated through several floors and annexed facilities.
- Courtrooms are not ADA assessable for court staff or at witness stands.

Courtroom Ancillary Areas

- Several of the offices have disjointed workspaces and offices causing security and management issues.
- In some courtrooms, impaneled jurors do not have direct access to deliberation rooms.
- The jury deliberation rooms are located on the third and fourth floors, while jury courts can be held on both the third and the second floors.

Court-Related Offices

- The clerk of courts costs/fines counter is not close to the main entrance of the building. Public traffic accessing this office intensifies the use of the building elevators and stairways.

COMMENT:

The Franklin County Courthouse as it is now configured is maze-like to the outsider. Offices and functions are scattered throughout the building, or outside it, with seemingly little regard for strategic adjacencies or workflow needs. Understandably, as functions change and grow over the

years, space in many courthouses often evolves or expands to fill either unused or little used portions of a building in an unplanned, spontaneous way. The frequent result is a hodge-podge assembly of tenants with no order to their locations or surroundings. Sometimes there is no reasonable basis for the amount and configuration of their occupied space. Space, being a limited commodity in many courthouses, is a politically bartered product as well adding to what many encounter as an unfriendly, puzzling labyrinth typifying the disarray of government.

Way finding in the courthouse is difficult. Way finding is a term introduced in the 1970's that refers to the concept of how people move within building space and how building design and signage assist people to orient themselves, find directions, and identify their locations. People use numerous cues to indicate where they are located, determine how to get to a specific destination, and conclude they have arrived at it. In confusing structures such as the Franklin County Courthouse, the task is much more grueling due to the poor building layout, myriad of offices, and large number of public users.

PROBLEMS/CHALLENGES:

A short-term fix in the present building is more effective and coordinated signage. A challenging design problem is the fact that there is only token lobby space at the Courthouse entrance to allow visitors to be self-oriented. Upon entering the courthouse, most people will look for a prominent, useful building directory. Where none exists, they will generally ask a screening station security guard, follow the crowd, or roam the building.

Additional signage, consistent in color, style, and verbiage should clearly identify when users have arrived at a specific courtroom, office, or service location. Way finding signs that protrude from the wall are often more noticeable and helpful. Signage that is flat against the wall such as the posting of dockets is less conspicuous and helpful. The ultimate objective is to provide enough information to permit the customer to easily find his/her way to the desired destination on their own.

Longer-term solutions require an enterprise-wide approach jointly through county and court management. Many of the findings and conclusions in the recent space studies by Carter Goble Lee, Inc. and the NCSC can be used to help identify more rational space requirements and needs, adjacency essentials, and necessary office layouts.

OBJECTIVES/RECOMMENDATIONS:

Modest remedies, including better signage, to address public user difficulties with the court building will help. The project team encourages the county and court to explore these least cost options and in doing so, administer the NCSC's Access and Fairness CourTools Measure 1 which surveys courthouse users on their experiences. The questionnaire, although copyrighted, is available for use by courts and counties. It can be found at www.ncsconline.org. It will provide a baseline to customer satisfaction and help in pinpointing problem areas.

A more aggressive option includes relocation of offices and court functions based on visitor traffic patterns, space deficiencies in existing offices, and likely growth patterns in services and staffing as outlined in the recent space planning studies. This entails remodeling costs and likely dislocations during construction.

The best and most lasting solution is to initially incorporate the modest alternative above and those cost-effective portions of the aggressive choice while moving toward a ground floor customer service center concept that would generate a one-stop location for the majority of courthouse customers who want to file a document, make a payment, access a file, or get a copy of an official record.

Many of the new courthouses built or reconfigured throughout the country incorporate designs that are intended to serve visitors in simplified and helpful ways. A particularly productive approach is to locate intake services or higher volume activities just inside the public entrance to the building. The county departments and offices at the Snohomish County Court Complex in Everett Washington provide an example. In this county, numerous offices have worked together to construct a multi-agency service counter that provides essential, commonplace public services quickly and easily. Coupled with clear directional signage and cross-trained, all-purpose staff, this innovation reduces the need for public visitors to search out particular offices and agencies throughout the building. We are suggesting co-locating staff from various county and court agencies at a common counter who are able to assist each other in accepting filings, receipting fees, fines and other cash payments, facilitating file and document review, and providing basic instructions and directions.

Technology plays a role in this enterprise-wide concept as well. A front-end system could be developed to feed documents into work queues for different offices where they could be reviewed and subsequently accepted into their systems. Scanning and payment processing could follow the

same format. Information kiosks at the service center could provide an option to use touch-screen check-in for court appearance by queuing much like is done for airline boarding.

ASSESSMENT AREA 5: Building Impact on Court Operation Efficiency

Building Utilization Requirement

High performing courts are defined not only as judicial systems that target and consistently achieve responsible case processing goals to keep case delay at bay, but ones that develop meaningful and useful ways to improve themselves on many other dimensions as well. Although most trial court performance goals target processing efficiencies such as more simplified and understandable judicial hearings, digitized access to court information and records, or streamlined and specialized calendars, subtle and often overlooked variables in improving court effectiveness are barriers presented by the court's physical plant itself to better serve the public (i.e., space limitations, security problems, easy access and comfortable public waiting areas, etc.). Unfortunately, where courthouses are older and out-of-date, they can literally prevent the court from excelling. Such is the case in Franklin County.

Level of Effort/Importance:	<input type="checkbox"/> Performance Issue
	<input type="checkbox"/> Customer Service Concern
	<input checked="" type="checkbox"/> Efficiency Problem

OBSERVATIONS:

General

- The prisoner circulation system is not completely separate or secure. In-custody defendants are transported to and from courtrooms through private staff circulation.
- Little public queuing space is available at the courthouse entrance for security screening.
- Many of the offices and court functions share public waiting spaces and circulation, including parties which have disputes.

Courtrooms

- In general, courtroom layouts follow traditional adjacency and floor circulation features, but space allocation and utilization could be improved.
- Courtrooms do not have sound vestibules separating the entrance from the public corridor. This is particularly problematic on the second floor of the courthouse annex where the clerk of court office is located directly opposite the courtroom entrances.
- The Divorce Master Hearing Room does not have a direct connection to the private staff circulation. The judicial officer must pass through the adjacent courtroom or public hallway to access the hearing room.
- While the connecting bridge between the old courthouse and the courthouse annex is efficient for staff purposes, the two public entrances are often confusing and inefficient for those accessing the courts.

Courtroom Ancillary Areas

- The lack of properly located courtroom ancillary facilities, such as attorney/client conference rooms, victim/witness waiting rooms, prisoner holding areas, and public waiting space adversely impacts the operational efficiency of the court.

- The Jury Assembly Room is located on the third floor of the courthouse annex, this requires a large volume of the public to travel up two floors through the facility utilizing the already over-used stairs and elevator systems.
- The Jury Assembly Room, located directly across from one of the courtrooms, is often loud and disrupts court proceedings when both rooms are in use simultaneously.

Judges' Chambers/Judicial Support Space

- Judge's offices are in close proximity to their respective courtrooms, however, because of the limited building footprint, judges are separated from one another on different floors or in different facility locations.

Court-Related Offices

- The clerk of courts costs/fines counter is not close to the main entrance of the building. Public traffic accessing this office intensifies the use of the building elevators and stairways.

COMMENT:

The physical layout, infrastructure, and traffic flows in the Franklin County Courthouse present serious impediments in improving the performance of the court on a number of levels. First, in serving the public and constituents of the County, the court is largely prevented from many commonplace options available to other trial courts in more up-to-date courthouses to improve the comfort and safety of its customers. Examples include secure victim/witness waiting areas, adequate attorney/client/mediation conference space, and improved juror facilities. Studies on procedural justice by the NCSC and New York University Professor Tom Tyler have substantiated that the perception of being treated fairly by the court engenders a greater willingness to voluntarily comply with court directives (i.e., child support order, community service, fines payment, etc.). When litigants perceive they are treated with dignity and respect as unique and valued members of society, *regardless of the outcome of their case*, their trust and confidence in the judicial system rises. Certainly, much of that perception flows from the way judicial officers and agents of the court (i.e., counter staff, probation officers, scheduling personnel, etc.) as “power figures” respectfully and empathically relate to those before them. Additionally, however, building accouterments, comforts, safety, and décor can and do silently convey respect and value as well. Without a doubt, structural surroundings do much to lower levels of angst and promote public trust and confidence in the judicial process. On the other hand, where court processes and the courthouse environment itself suggests

disrespect and demeans the importance and meaning of justice, it is little wonder that people walk away feeling upset believing they have been treated unfairly.

Second, more effective work environments improve overall business process efficiency according to recent studies by Gensler, a global design and consulting firm (2008). In today's high-tech, knowledge-based workplace – which trial courts are fast becoming in America – top performing organizations are embracing a fundamental restructuring of work through office design that places as much emphasis on collaboration, learning, and socialization (incorporating the values, beliefs and principles of the court) as on “heads down” work. Organizations providing workplaces that are team-centered, information-laden, and knowledge-based, out-perform those with isolated workers, filtered-data, and bureaucratic atmospheres. Further, Gensler's survey results indicate that improving business performance via workplace structural changes depend more on the quality of space functionality and effectiveness, than the quantity of space. Unfortunately, in buildings that are structured in traditional, insular office patterns, such as courthouses of the Franklin County vintage, changing the quality of workplace space is difficult without substantial renovation or new construction. An example of an improved workplace design for courts embracing the principles outlined by Gensler researchers is the growth of “collegial chambers.” Judges' chambers/offices are clustered together in a protected area of the courthouse. Individual suites open onto a common area where pooled support staff (judicial assistants, law clerks, court reporters, bailiffs) is located. A secure, communal reception area with all-purpose conference and meeting rooms serves as the entry point. Judges in this space do not have permanently assigned courtrooms; rather, they travel to special or multi-purpose courtrooms in other parts of the building. Shared special-use and general-purpose courtrooms provide added economies of scale as well. Collegial chambers are increasing in popularity because of cost-savings, better use of communal resources, improved security, and a more collaborative judicial community.

PROBLEMS/CHALLENGES:

Public trust and confidence in the justice system certainly could be enhanced by improving courthouse space. To a certain extent court and county officials have moderately done so over the years, but in many respects have been prevented from any widespread renovation due to building design, disruption in current services, and a myriad of difficulties presented by wholesale upgrades

necessary in the infrastructure and basic framework of the courthouse; least of which is cost. Decisions to renovate or build anew are agonizing ones; yet based on current inefficiencies in the Franklin County Courthouse, county and court officials will likely face those choices in the not too distant future. A subtle, but important factor to consider is the performance improvements that could be seen in the community's justice system with a more efficient, advanced court sparked by a modern, safe, well-organized court building. There is no doubt that public trust and confidence in the judicial process would be heightened in response.

OBJECTIVES/RECOMMENDATIONS:

High-level trial court performance is a virtue that all communities should aspire to create and maintain. The judicial system in Franklin County certainly is staffed with well motivated, innovative judges and court leaders with a reputation for excellent, fair, and expeditious justice. Yet, only so much can be done to cultivate programs and processes for higher achievement when the facility and its inflexibility inhibit new approaches. Where possible, court and county leaders should creatively continue to modify space to promote better judicial administration and new worthwhile court calendars or programs. However, to truly reach the full potential of a high performing trial court, serious attention should be given to significant renovation or a new courthouse.

VI. LONG-TERM NEEDS ANALYSIS

Key components of a long-range facilities utilization master plan are projections of future growth and an assessment of how growth trends will affect the staffing levels and space needs of the court and various court and county-related offices. This section of the report first presents the NCSC's projections of growth for Franklin County, in terms of population and court caseloads. These growth projections are then used as guidelines for determining future judgeship requirements and staffing levels in the Court of Common Pleas, county offices and various court-related offices. Ultimately, the county population, court caseload, and staffing projections are used to develop future facility space requirements and space standards for the new facility housing the court, court-related offices and county offices.

A. Franklin County Growth Projections

Future facility development is affected by the number of people expected to access the courts as well as estimates of caseload volumes and trends. Court case filings and county population totals are two common measures used by court facility planners to estimate future growth, levels of staffing, and space needs. Analyses of historic caseload data for the Court of Common Pleas and historic and projected county population and demographic information serve as a foundation for growth projections in the Franklin County long-range facility master plan.

Historical Caseload Analysis and Growth Trends

The first step necessary to produce projections of court caseloads for the next 20 years is measuring the current workload of the court. This is accomplished by analyzing recent historical case filing data and growth trends for the court. NCSC presents an analysis specific to the Franklin County Court of Common Pleas, using historical data from 1994 through 2007.⁶ A wide variety of methodologies and criteria are used to assess the workload of courts. For facility planning purposes, an analysis of the number of cases filed, by case type, over the past 15 years, provides sufficient guidance for estimating growth of the court system, levels of staffing, and long-term space needs.

⁶ The sources of the historical Franklin County court caseload data used in this analysis are the annual caseload statistics reports of the Unified Judicial System of Pennsylvania compiled by the Administrative Office of the Pennsylvania Courts and case filings compiled by the Franklin County Clerk of Court and Prothonotary.

Admittedly, raw case filing data does not indicate how much time and resources are required to process all cases. Cases vary in complexity, and different types of cases require different amounts of time and attention from judges and court support staff. For example, felony cases having jury trials have a much greater impact on the workload of the court than some of the more administratively oriented orphans' court cases. Furthermore, divorce and custody cases and juvenile dependency cases may require continuous judicial attention over a long period of time.

The traditional approach for measuring court workload "is the number of weighted filings, tempered by qualitative considerations,"⁷ such as prosecutorial filing practices; increasing public interest in a particular case type (i.e., protection from abuse petitions); the number of law enforcement officers in the community; local economic conditions; changes in court rules, case processing, and jurisdiction for particular case types; government "downsizing;" and, any significant statutory changes. In the absence of explicit case weights, as is the situation in Pennsylvania, all cases are, in effect, counted equally, or, in other words, given a weight of one. This can be misleading. In reality, the mix of cases filed in a court, weighted by judge time and court support staff time required to handle the various case types, is a more valid reflection of the true workload of the court and demand for judicial resources than raw data on the number of cases filed for particular case types. However, in Pennsylvania raw data are the best numbers available.

In recognition of the inherent complexities in measuring court workload, the NCSC project team suggests that the assessment of current court workload for the master plan be interpreted narrowly, with the understanding that such an analysis is being done solely for facility planning purposes. The following tables present historical case filing data and trends by major case type for the Franklin County Court of Common Pleas, followed by an analyses.

Caveats and Explanations regarding Historic Case Filings for 1994-2007

To collect historical data NCSC employed two methodologies. First, NCSC used statistics published by the AOPC either in their annual report, on their web page, or provided upon special request by NCSC from the AOPC Statistics Unit. For the most part, data stretched back to CY 1994.

Second, NCSC received the surveys distributed by Carter Goble Associates, Inc. to each court work unit and requested historical case filing data dating back to 1999. In some instances, the number of case filings provided by both sources matched well. However, in a few instances the

⁷ Victor E. Flango et al., *Assessing the Need for Judges and Court Support Staff* National Center for State Courts, Williamsburg, VA (1996).

number of case filings for some work groups varied substantially. During the October on-site visit, the NCSC project team spoke with the Clerk of Courts, Prothonotary, Judge Van Horn, Domestic Relations, Court Administration, the Public Defender, and County Attorney. Resultantly, our confidence in the historical case filing data was strengthened.

One exception to our normal data gathering pattern occurred. The Magisterial District Court did not provide independent numbers in their survey, but stated the numbers from the AOPC were correct. The AOPC did not provide case filing statistics isolated only for Chambersburg. Rather, the data depicted all seven Magisterial District Courts in the County. Even so, NCSC determined that the composite totals, largely parallel the growth in the Magisterial District Court located in Chambersburg. Consequently, a historic, annual, composite percentage is used to determine the future growth trend for the Chambersburg Magisterial Court.

Table 13

Franklin County Historical Case Filings from the AOPC and Surveys of the Clerks

	Clerk of Courts⁸		Prothonotary⁹			Domestic¹⁰		Magistrate	Orphans' Court¹¹	
Year	AOPC	Survey	AOPC Annual Report	Survey	AOPC Stats Unit	AOPC	Survey	AOPC	AOPC	Survey
1994	1,388	1,276	618		838	2880				906
1995	1,573	1,570	642		780	2469		21,739		878
1996	1,590	1,594	720	941	809	2596		19,706	754	950
1997	1,686	1,693	695	999	887	2480	10,988	21,375	849	1034
1998	1,962	2,002	678	1,086	908	2632	5,018	20,777	982	1184
1999	2,190	2,172	1,047	1,467	968	2556	5,025	18,636	903	1148
2000	2,257	2,302	1,123	1,723	984	3034	5,001	19,829	902	1149
2001	2,675	2,570	985	4,013	881	3420	4,925	19,692	909	1183
2002	2,482	2,451	961	3,538	829	3175	4,828	18,320	912	1184
2003	2,445	2,460	922	3,202	870	3359	4,859	17,886	910	1167
2004	2,531	2,543	943	5,160	877	3619	5,261	23,733	902	1185
2005	2,775	2,666	1,014	5,298	965	3538	5,139	24,958	990	1222
2006	2,745	2,770		5,823	1125	3576	5,033	27,050	1,085	1351
2007		2,933		6,370	1273	3731	4,847	26,507	1,004	1294

\

⁸ The case filings for the Clerk of Court from the survey and the AOPC show some variation but not significantly, therefore, NCSC has chosen to use the AOPC numbers to maintain a consistent source.

⁹ AOPC data for the Prothonotary was developed via a special request from NCSC.

¹⁰ The discrepancy in the domestic relations filings are due to the fact that the AOPC only tracks new case filings whereas the Clerk of the Domestic Relations Division tracks actions such as petitions and contempt filings. The Clerk suggested that for projecting caseload NCSC use the AOPC figures.

¹¹ The variation in the numbers in the Orphans' Court are due to the fact that numbers provided in the survey include termination of parental rights cases which are separate case filings from the adoption filings even though it may pertain to the same child. The Clerk of the Orphans' Court was very confident of his numbers and asked that NCSC use the combined number of adoptions, TPRs, guardianships and marriage licenses to project future filings.

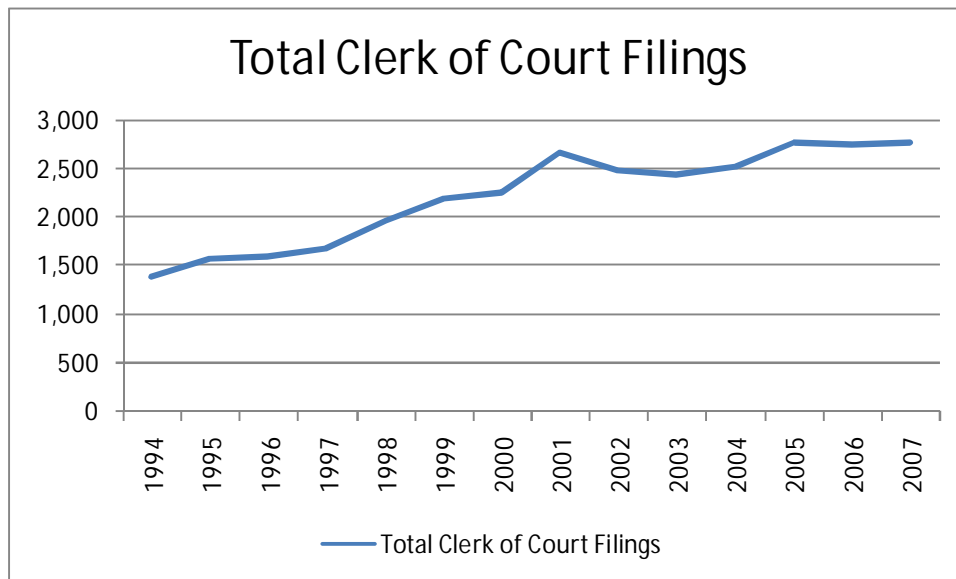
B. Historic Case Filing Trends by Major Functional Area

Clerk of Courts

Table 14
Historical Case Filing Trends in Clerk of Court Cases

Year	Criminal	Juvenile	Total Filings
1994	1,205	183	1,388
1995	1,351	222	1,573
1996	1,283	307	1,590
1997	1,326	360	1,686
1998	1,551	411	1,962
1999	1,812	378	2,190
2000	1,845	412	2,257
2001	2,232	443	2,675
2002	2,116	366	2,482
2003	1,972	473	2,445
2004	2,073	458	2,531
2005	2,287	488	2,775
2006	2,255	490	2,745
2007	2,169	601	2,770
Total Case Filings:	25,477	5,592	31,069

Figure 1
Total Clerk of Court Case Filings 1994- 2007 (AOPC)



Caseload Trend Analysis

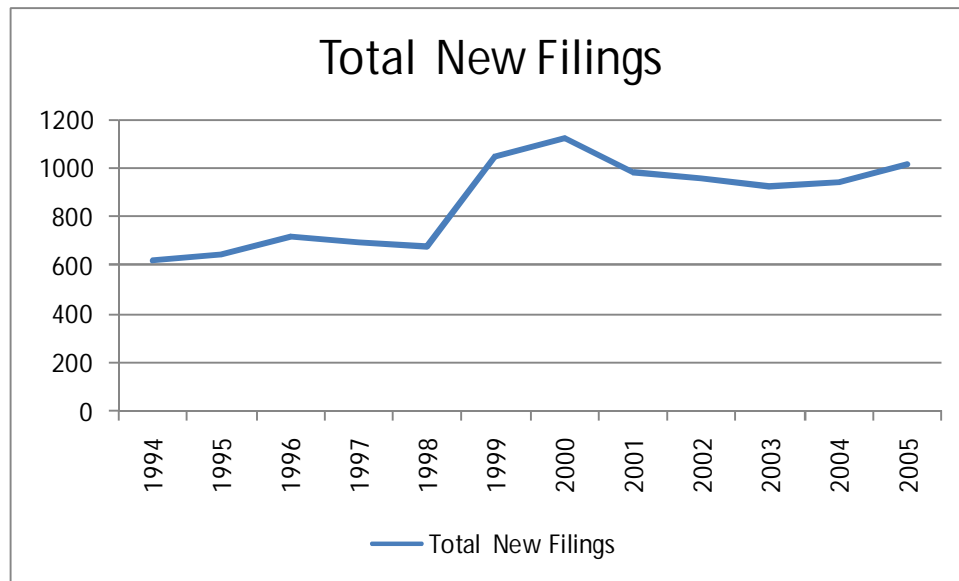
- Case filings in the Clerk of the Court are primarily composed of Criminal Case Filings, Juvenile Delinquency, Juvenile Dependency, Abuse and Neglect and Child Custody.
- Historically, Clerk of the Courts case filings have nearly doubled between 1994 and 2007.
- Case filings in the Clerk of the Court Office rose steadily from 1994 to 2001 with 1,388 cases to 2,675 cases respectively, a 93 percent increase.
- Since 2001, case filings have remained between 2,400 and 2,700 cases annually, and only a 3.5 percent increase in filings between 2001 and 2007.
- It is important to note that case filings, since 2004 have increased by nearly 13 percent, indicating that the most recent years of growth in filings into the Clerk of Courts Office (Criminal and Juvenile) are again on the rise, but most likely not at the rate that was experienced in the mid and late 1990s.
- It should also be noted that the spike in 2001 corresponds directly to the opening of the central court.

Prothonotary

Table 15
Historical Case Filing Trends in the Prothonotary

Year	Civil	Divorce	Custody	PFA	Total New Filings
1994	57	489	72	Data for this time period unavailable	618
1995	68	498	76		642
1996	94	516	110		720
1997	79	504	112		695
1998	70	521	87		678
1999	54	586	272	135	1,047
2000	75	613	280	155	1,123
2001	42	537	259	147	985
2002	47	527	266	121	961
2003	52	517	251	102	922
2004	48	508	264	123	943
2005	74	580	253	107	1,014
2006	N/A	N/A	N/A	106	N/A
2007	N/A	N/A	N/A	N/A	N/A
Total Case Filings:	760	6,396	2,302	890	10,348

Figure 2
Total Prothonotary Case Filings 1994- 2005 (AOPC)



Prothonotary Case Filing Trend Analysis

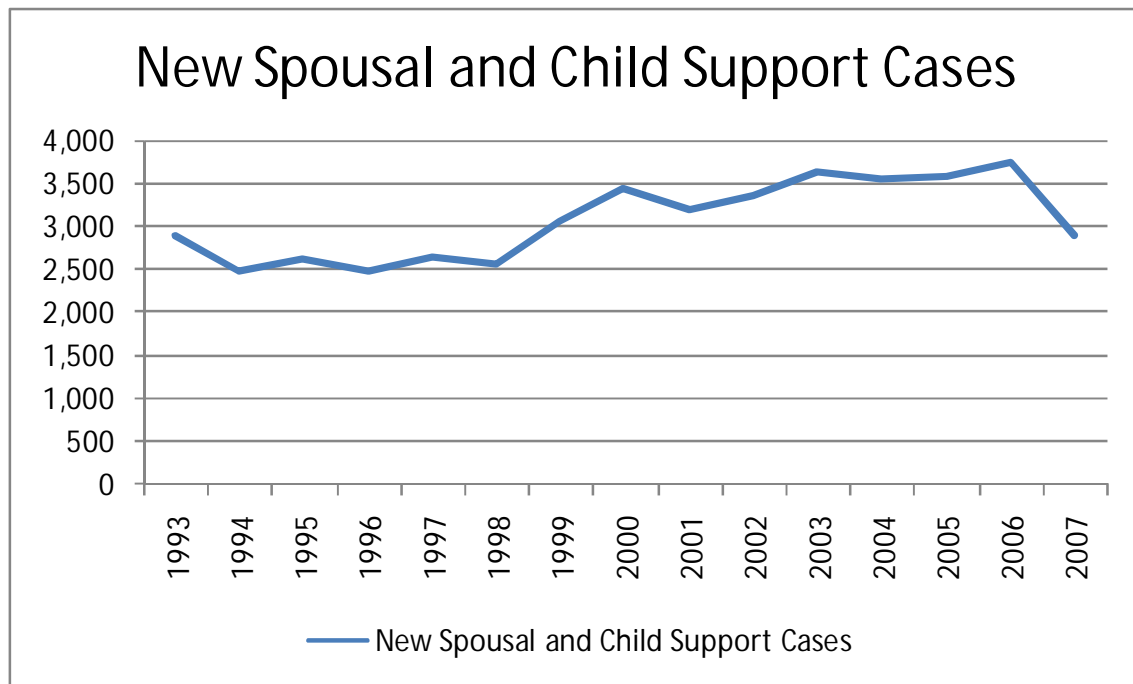
- It is acknowledged that the work done by the Prothonotary's Office goes beyond new case filings. Many cases re-open, do not close until the child is of age, many new modifications or reviews of cases, etc. all add to the workload of the Prothonotary Office's staff. In addition, the office handles many administrative functions, such as issuance of passports, writs, notary, etc. The case types examined in this study are Civil Complaints, Equity cases, Divorce, Protection from Abuse and Child Custody.
- A sample of the workload and collections done by the Prothonotary for FY 2007 and FY 2005 can be found in the appendix.
- The new case filings going to the Prothonotary Office were historically steady from 1994 to 1998 with an annual case filing between 600 and 700 cases; however, between 1998 and 1999, new case filings in the aforementioned case types grew sharply by nearly 66 percent in two years.
- Since 1999, case filings have remained fairly constant ranging between 900 and 1000 new cases annually. It is expected that the recent upward trend starting in 2004 and 2005 will continue into the future.

Domestic Relations

Table 16
Historical Case Filing Trends in Domestic Relations Cases

Year	New Spousal and Child Support Cases
1993	2,880
1994	2,469
1995	2,596
1996	2,480
1997	2,632
1998	2,556
1999	3,034
2000	3,420
2001	3,175
2002	3,359
2003	3,619
2004	3,538
2005	3,576
2006	3,731
2007	2,880
Total Case Filings:	45,945

Figure 3
Historical Case Filing Trends in Domestic Relations Cases



Domestic Relations Filings

- Case filings in the Domestic Relations Office include spousal support cases and child support cases.
- New case filings in domestic relations remained fairly steady between 1995 and 1999 with 2,880 and 3,034 cases respectively, showing a five percent growth over five years, or one percent annually.
- Between 1998 and 2002, case filings grew by over 30 percent from just over 2,500 cases to nearly 3,500 cases annually.
- This more recent trend from 2002 forward has remained fairly constant with between 3,500 and 3,800 cases annually.
- The drastic drop shown in 2007 is attributed to incomplete case filing counting at the time of this report. It was noted by the county that, also in 2007, the Sheriff no longer served domestic relations warrants which may also account for this decrease in case filings. It is understood, however, that this is not a downward trend and that the domestic relations case filings will continue to increase in the future.

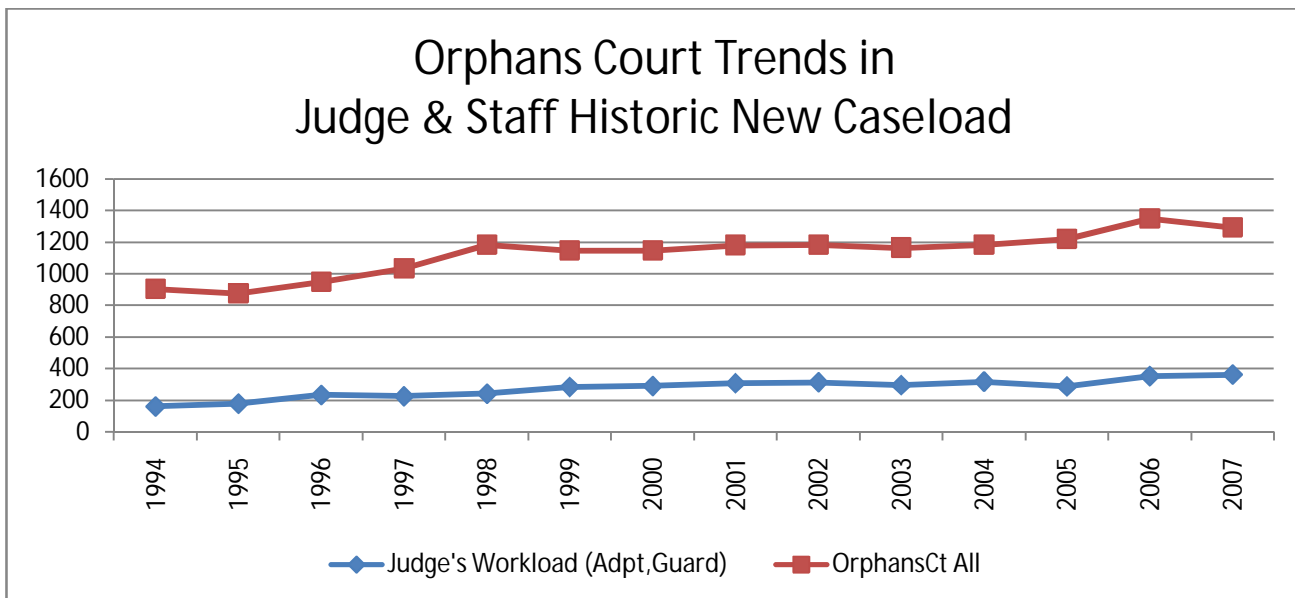
Orphans' Court

Table 17
Historical Case Filing Trends in Orphans' Court Cases

Year	Judge's Caseload	Staff Caseload
1994	163	906
1995	180	878
1996	235	950
1997	226	1,034
1998	243	1,184
1999	285	1,148
2000	291	1,149
2001	308	1,183
2002	315	1,184
2003	296	1,167
2004	318	1,185
2005	288	1,222
2006	353	1,351
2007*	362	1,294
Total Case Filings:	3,863	15,835

* The drop shown in 2007 is attributed to incomplete case filing counting at the time of this report.

Figure 4
Historical Case Filing Trends in Orphans' Court Cases



Orphans' Court Caseload Trend Analysis

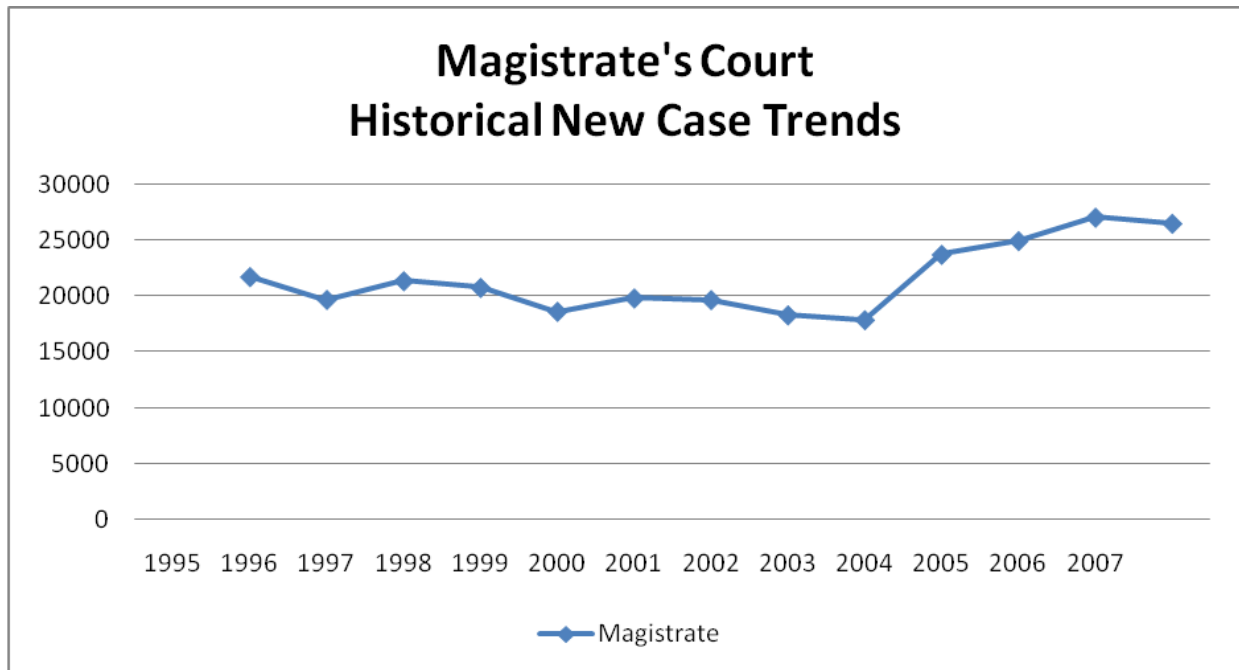
- Orphans' Court handles the processing of Adoptions and Guardianships.
- The total caseload (red line) of the Orphans' Court has steadily increased from 878 cases in 1995 to just fewer than 1,300 cases in 2007; this represents a 48 percent increase in case filings since 1995.
- The 48 percent total increase can be averaged to about 3.4 percent annual growth between 1995 and 2007.
- It is important to note that the caseload handled by the judges is different than the caseload of the clerks, due to many administrative functions that the clerks perform. Since 1994, the growth trend on the judiciary has been over 120 percent; however, judicial caseload has stabilized since 1999 stabilizing between 300 and 400 cases annually.
- Since 1999, judicial caseload has increased by 27 percent, or three percent annually, almost equal to that of the Orphans' Court clerk's caseload.

Magisterial District Court

Table 18
Historical Case Filing Trends in the Magistrate Court

Year	Criminal	Private Criminal Complaint	Traffic	Non-Traffic	Civil	Landlord/Tenant	Total
1994							
1995	1,838	1,313	14,453	3,959	1,670	344	23,577
1996	1,892	1,463	11,878	4,017	1,945	403	21,598
1997	1,967	1,532	12,531	4,665	2,162	485	23,342
1998	2,435	1,847	12,054	4,526	1,882	470	23,214
1999	2,586	1,504	9,980	5,019	1,630	503	21,222
2000	2,538	1,570	11,391	4,620	1,653	595	22,367
2001	2,837	1,710	10,895	4,796	1,755	536	22,529
2002	2,739	1,404	10,430	4,527	1,444	515	21,059
2003	2,566	1,268	9,754	4,797	1,495	572	20,452
2004	2,882	1,468	15,455	4,563	1,659	588	26,615
2005	2,910	1,844	15,971	4,841	1,727	575	27,868
2006	2,927	1,647	17,896	4,837	1,925	745	29,977
2007	2,906	1,422	18,280	4,205	1,819	781	29,413
Total Case Filings:	33,023	19,992	170,968	59,372	22,766	7,112	313,233

Figure 5
Historical Case Filing Trends in Magisterial District Court (State-wide)



Magisterial District Court Caseload Trend Analysis

- Data for the Magisterial District Court in Chambersburg was not available. The data shown is for seven Magisterial District Courts.
- Magisterial District Court new filings trended downward from 1995 to 2003 with cases falling from 23,577 to 20,452 respectively, a state-wide drop of just over 13 percent.
- From 2003 forward, new filings have increased substantially from 20,452 cases to 29,413 cases, a 44 percent increase. It is not known at this time whether this should be considered a long term trend.

C. Franklin County Population Analysis and Forecasts

Historical caseload data and patterns provide a baseline for projecting future caseload trends. Yet, caseloads--and ultimately the actual workloads--of courts are affected by population. Therefore, the next step in the process of formulating court caseload projections is an analysis of historical and projected Franklin County population data.

Historical County Population Data and Growth Trends

To estimate the population growth, the NCSC project team obtained and reviewed historical Franklin County population and demographic data from a number of sources. The team looked at historic population measured by the US Census Bureau, the Franklin County Planning Department, and the Pennsylvania State Data Center (located in Harrisburg). The following table shows the historic county population growth from 1994 to 2007.

Table 19
Franklin County Historical Population, 1994-2008

Year	Franklin County Population
1994	124,409
1995	125,255
1996	126,107
1995	126,964
1998	127,828
1999	128,697
2000	129,313
2001	130,882
2002	132,469
2003	134,076
2004	135,702
2005	137,348
2006	139,014
2007	140,701

Population trends can be good indicators of case filing trends; therefore, the NCSC project team reviewed the historical population trends and the projected trends issued by the Franklin County Planning Department to determine the impact of population on case filing trends.

Future Population

The NCSC project team reviewed historic population as measured by the US Census Bureau and examined population projections for Franklin County by the Census Bureau, Franklin County Planning Department, and the Pennsylvania State Data Center (Harrisburg). The following tables project the Franklin County population to 2030 as assembled by the Franklin County Planning Department:

Figure 6
Franklin County Historical and Projected Population

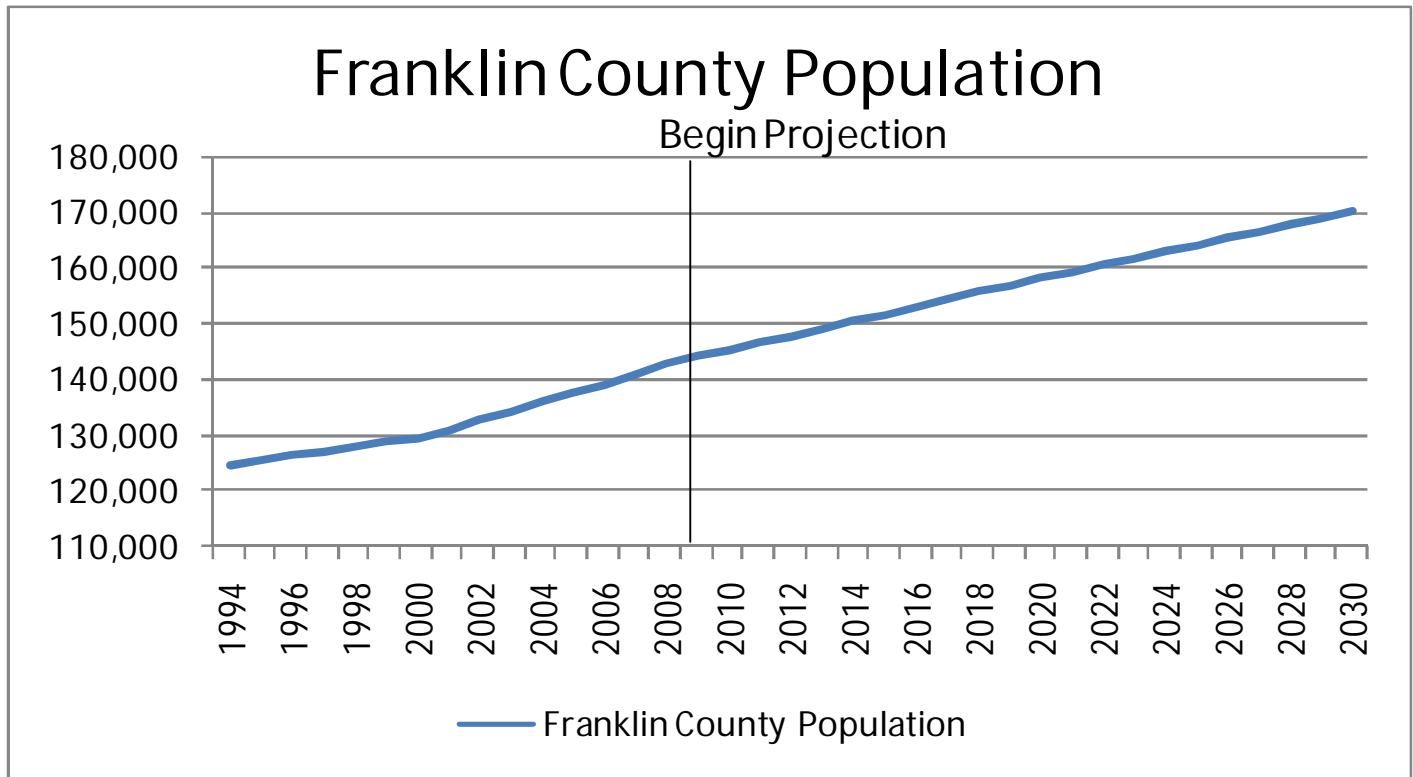


Table 20
Franklin County Population Projection, 2000-2030

Franklin County Planning Department Growth trend to 2030						
2000 actual	2010 projected	2015	2020	2023	2028	2030
129,313	145,000	151,500	158,000	161,600	167,600	170,000
Growth Rate	1.21%	0.90%	0.90%	0.76%	0.76%	0.76%

Further investigation going back to 1970 and looking forward presented the following table:

Table 21
Franklin County Historic and Projected Population, 1970-2030

<u>Year</u>	1970	1980	1990	2000	2010	2020	2030
Franklin County Population	100,833	113,629	121,082	129,313	145,000	158,000	170,000
<i>Total % growth</i>		<i>12.70%</i>	<i>6.56%</i>	<i>6.80%</i>	<i>12.13%</i>	<i>8.97%</i>	<i>7.59%</i>
<i>Annual rate of growth</i>		<i>1.27%</i>	<i>0.66%</i>	<i>0.68%</i>	<i>1.21%</i>	<i>0.90%</i>	<i>0.76%</i>

- Franklin County's population grew 12.7 percent during the 1970's, 6.56 percent during the 1980s, and 6.8 percent in the 1990s, and is estimated to grow 12.3 percent from 2000-2010.
- After 2010, the Franklin County Planning Department anticipates slowing rates of growth, overall 8.97 percent from 2010 to 2020 and another 7.59 percent between 2020 and 2030.
- Annual rates of growth, shown in the bottom row of the table below, are currently about 1.2 percent and are anticipated to slow to about .90-.76 percent through 2030.

Ratio of Cases to Population

The ratio of cases to population is often helpful in assessing whether current trends may continue into the future, because it shows how closely changes in case filing follow changes in population growth. Stable trends in this ratio, for example, indicate a likelihood that such trends can be realistically expected to continue unless there is significant social or economic change for Franklin County, the ratio of cases to population has been fairly consistent across the years in Prothonotary, Orphans', and Domestic Relations courts, as shown in the Table below.

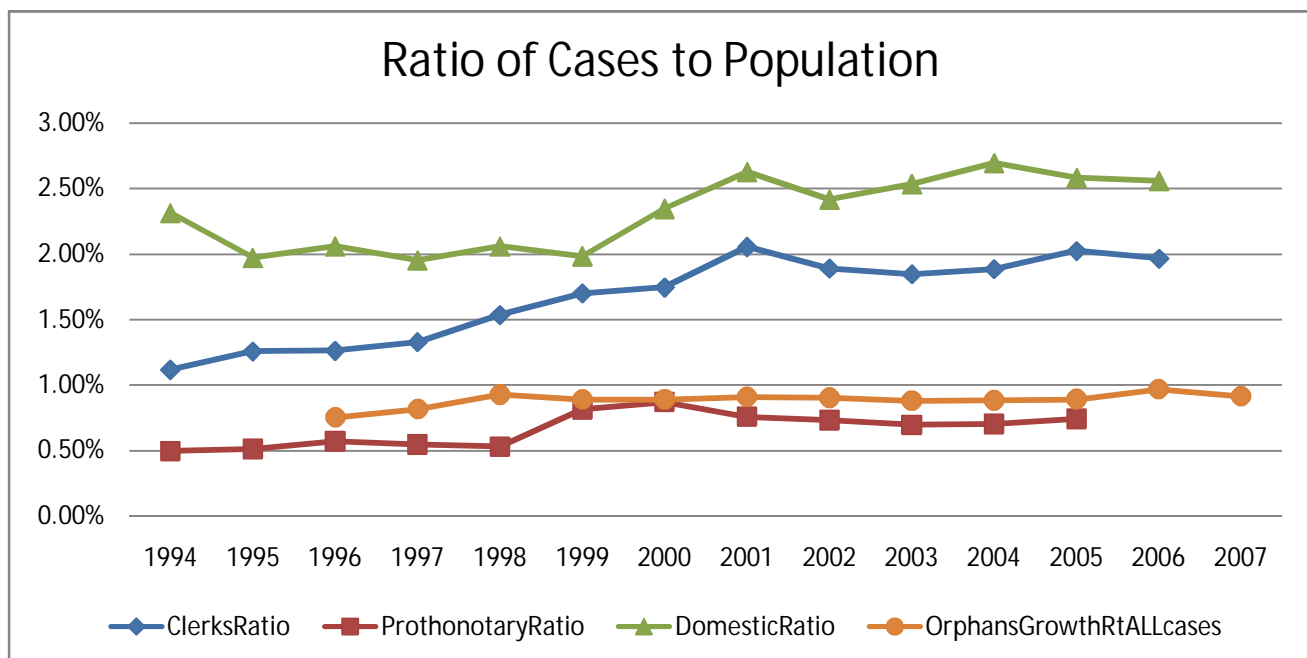
Table 22

Franklin County Case Filings Ratio to Population, 1994-2007

Year	Clerk of Court	Prothonotary	Domestic Relations	Orphans'
1994	1.12%	0.50%	2.31%	N/A
1995	1.26%	0.51%	1.97%	N/A
1996	1.26%	0.57%	2.06%	0.75%
1997	1.33%	0.55%	1.95%	0.81%
1998	1.53%	0.53%	2.06%	0.93%
1999	1.70%	0.81%	1.98%	0.89%
2000	1.75%	0.87%	2.35%	0.89%
2001	2.05%	0.76%	2.63%	0.91%
2002	1.89%	0.73%	2.42%	0.90%
2003	1.85%	0.70%	2.54%	0.88%
2004	1.88%	0.70%	2.69%	0.88%
2005	2.03%	0.74%	2.58%	0.89%
2006	1.97%	N/A	2.56%	0.97%
2007	N/A	N/A	N/A	0.91%

Figure 7

Franklin County Case Filings Ratio to Population, 1994-2007



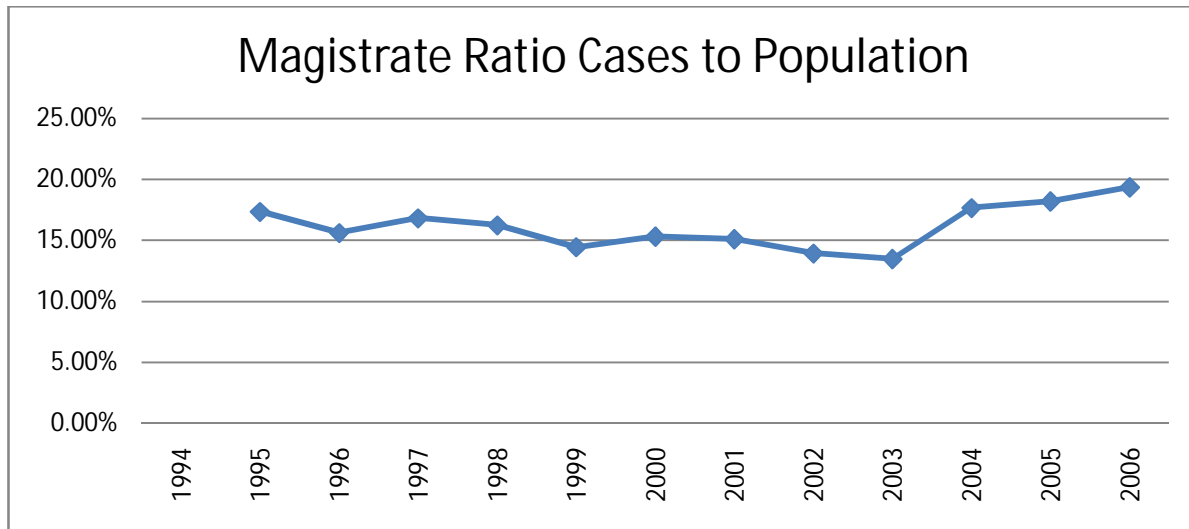
- Case filings being entered into the Clerk of Court, Prothonotary, Domestic Relations and Orphans' Court Clerks, historically vary less than one percent since 1994.
- The little variance between the historical case filing trend lines and the ratio to population trend lines indicates that population is a good indicator of case filings. Because of this relationship the NCSC project team decided to include a ratio to population projection methodology in projecting future filing trends.

At this point, the NCSC consultants looked at the ratio to population as applied to the Franklin County Magisterial District Courts. The results are shown below.

Table 23
Franklin County Magisterial District Case Filings Ratio to Population, 1995-2007

Year	Magistrate
1995	17.36%
1996	15.63%
1997	16.84%
1998	16.25%
1999	14.47%
2000	15.33%
2001	15.13%
2002	13.95%
2003	13.50%
2004	17.67%
2005	18.21%
2006	19.36%
2007	N/A

Figure 8
Franklin County Magisterial District Court Case Filings Ratio to Population, 1994-2006



- Because the Magisterial District Court varies between a ratio of 13.5 percent to as high as 18.2 percent, a nearly five percent variance, the court filings are not as consistent in relation to population, since they have risen sharply out of proportion to population in 2003-2006. Instead, an alternative method of projection will be used to estimate the future case filings in the Magisterial District Courts. These methods will be discussed in the following section.

D. Franklin County Case Filing Forecasts

Projection Methodology

To determine which projection methodology to employ in projecting future case filings in each court, the NCSC project team evaluated each trend line to determine whether it would be more effective to use more recent trend lines from year 2000 or the historical record back to year 1994. In the Clerk of Court, Prothonotary and Domestic Relations Offices, growth trends were not steady for the entire time period reviewed; therefore, it may be beneficial to look at different trends within the entire trend line. For these three divisions, it appears that the trends were different between 1994 and 2000 from those in 2000 to the present. Therefore, a projection focusing on the recent trend may be more accurate than one including all of the historical past. To find the best trend line the NCSC project team developed four projection models.

- Historical annual rate of growth (total growth from 1994 to present, total percent growth divided by the number of years' data for each court)

- The second, Recent Rate of Growth (total percent growth divided by the number of years data available for historical trends dating back to 2000).
- The third, Recent Ratio of Cases to Population on the ratio of population to cases dating back to 2000. This method first calculated the ratio of filings to population for all available historic data, 1994/5 to 2007, as seen in the previous section. The average ratio for all years was calculated, as was the average ratio for the time period 1994 to 2007.
- The fourth, A Planning Average used when the previous three trends produce a boundary that appears to be too low or too high given the current case trends, the average between the two is used to provide a more realistic growth trend.

By using four methods, projections of future caseloads are created based on different assumptions about patterns of growth. The primary purpose of forecasting is to provide the most reasonable and realistic basis for estimating caseloads, and from that, judicial positions, staffing, and facility needs for Franklin County. Alternative trend analyses, projected into the future, assist in decision making by comparing possible scenarios using traditional, well-accepted forecasting methods. Bear in mind that regardless of the forecasting technique used, all projections become less reliable as they go farther into the future. There are simply too many unknown variables that may affect future caseloads and that cannot be estimated accurately (examples: radical population changes caused by natural disasters, unexpected social or economic shifts, etc.) The objective is to produce comparative growth trends, and then to choose the projection that seems most likely to accurately predict the future. The four different trend lines for the court divisions are illustrated on the following pages.

Clerk of Court
a. Total Case Filings

Figure 9
Clerk of Court Historic and Projected Workload, 1994- 2030

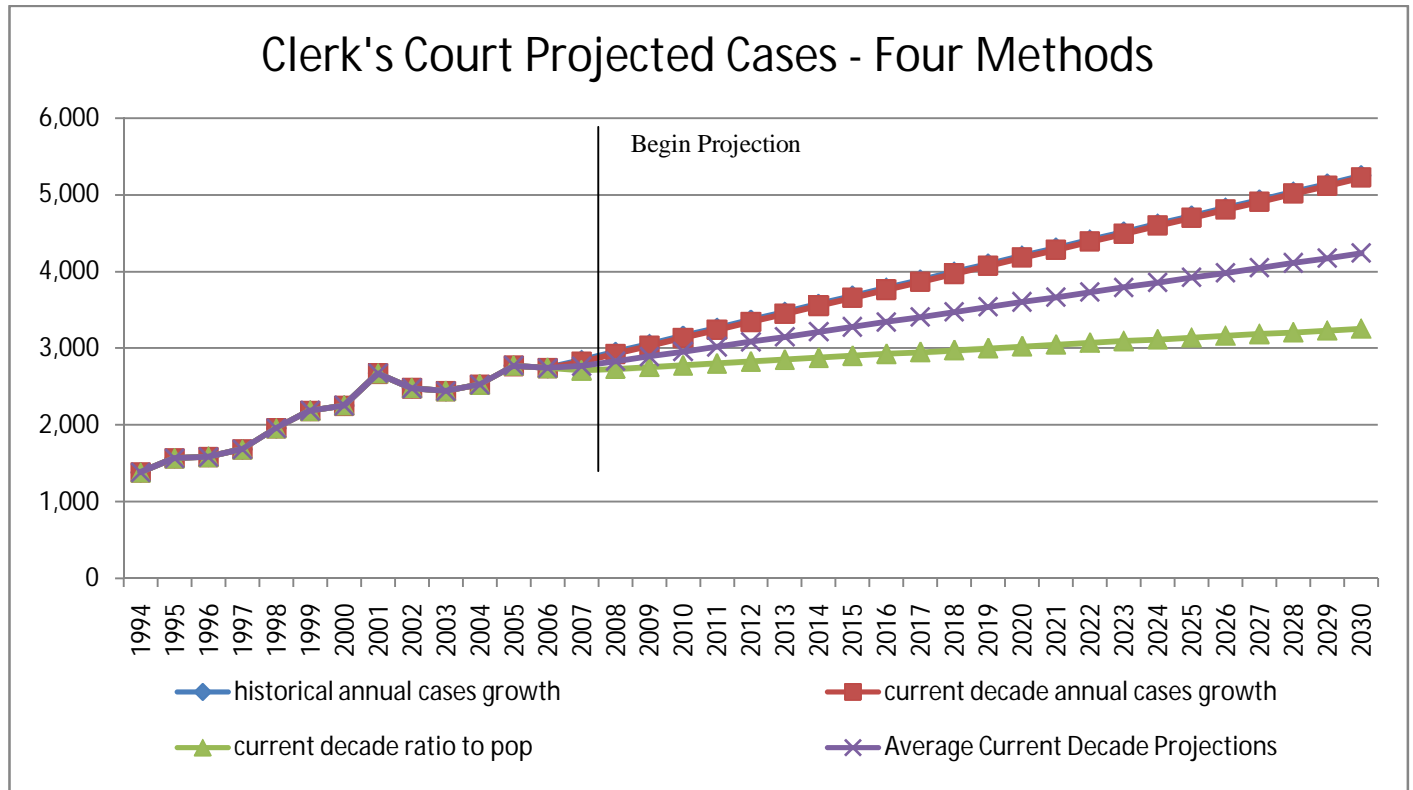


Table 24
Clerk of Court Case Filings Projection Summary

	<u>Current</u>	<u>2008</u>	<u>2013</u>	<u>2018</u>	<u>2023</u>	<u>2028</u>	<u>2030</u>
Historic Annual Growth Trend	2,745	2,954	3,476	3,998	4,520	5,041	5,250
Current Decade Annual Growth	2,745	2,931	3,453	3,975	4,496	5,018	5,227
Current Decade Ratio to Population	2,745	2,735	2,853	2,977	3,096	3,211	3,257
Planning Average	2,745	2,833	3,153	3,476	3,796	4,115	4,242

- Both the Historic Annual Growth Trend (1994-2007) and the Current Decade Annual Growth Trend (2000-2008) show nearly the exact same growth trend of about 78 percent by 2030.
- The projection using the current decade (2000-2007) ratio to population flattens over time, from four percent between 2008 and 2013 to 1.5 percent between 2028 and 2030 because lower population growth is expected over time than in the recent past. This method gives a total growth of only 19 percent.

- Given that the historical case filing trend appears very steep and the ratio to population trend seems too shallow, the most likely trend is probably in between the two projections. Therefore, NCSC project team averaged the two trend lines to establish a more likely trend line, the Planning Average. By the year 2030 the court can expect just over 4,000 case filings; this represents nearly a 55 percent increase, or an annual growth rate of 2.4 percent.

b. Individual Case Types Projected Growth

Figure 10
Clerk of Court Historic and Projected Criminal Caseload, 1994- 2030

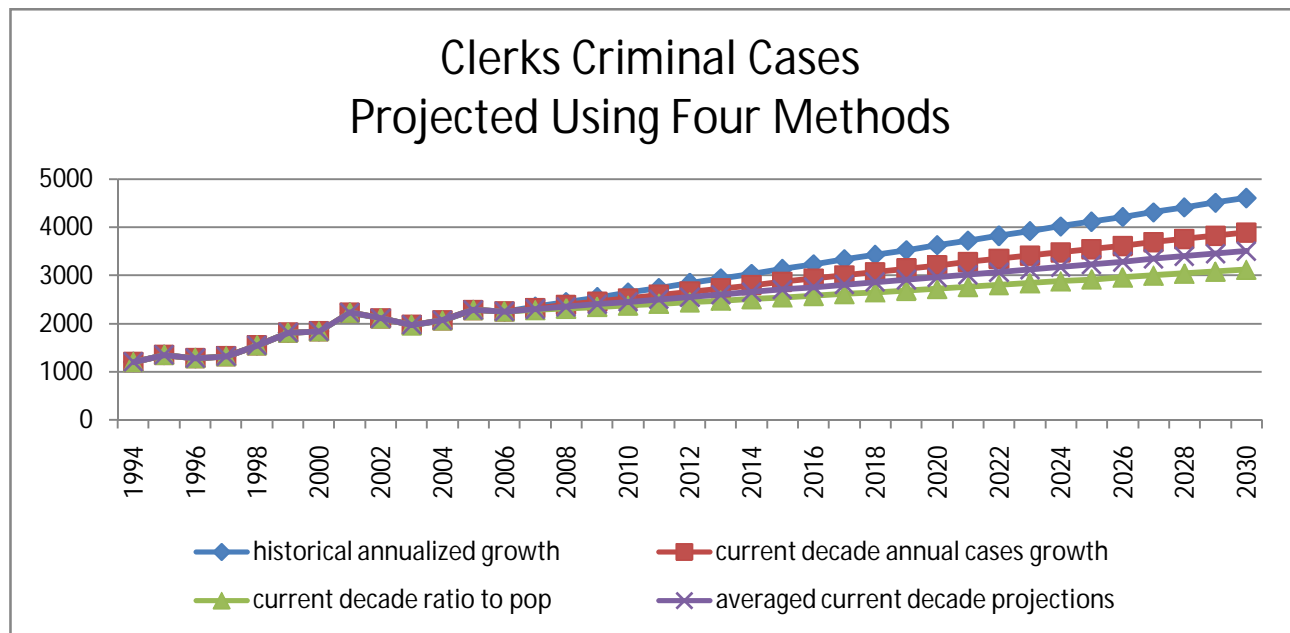


Table 25
Clerk of Court Criminal Case Filings Projection Summary

	<u>Current</u>	<u>2008</u>	<u>2013</u>	<u>2018</u>	<u>2023</u>	<u>2028</u>	<u>2030</u>
Historic Annual Growth Trend	2,255	2452	2944	3435	3927	4419	4616
Current Decade Annual Growth	2,255	2392	2733	3075	3417	3758	3895
Current Decade Ratio to Population	2,255	2317	2480	2655	2841	3041	3125
Planning Average	2,255	2354	2607	2865	3129	3400	3510

Comment

- Criminal Case filings have historically been the majority of the workload in the Clerk of Court office. It is expected that this case type will grow by 56 percent in 22 years. This case type should receive the greater amount of attention by clerk's staff in the future to properly address the constantly growing caseload.

- The Planning Average Trend was used in this projection due to the fact that criminal case filings are not growing in proportion to county population, but historically have not grown as quickly as they have in the recent decade.
- The Historic Annualized growth trend overly compensates the rapid growth between 1997 and 2001 and continues projection at that over-inflated rate.

Figure 11
Clerk of Court Historic and Projected Juvenile Caseload, 1994- 2030

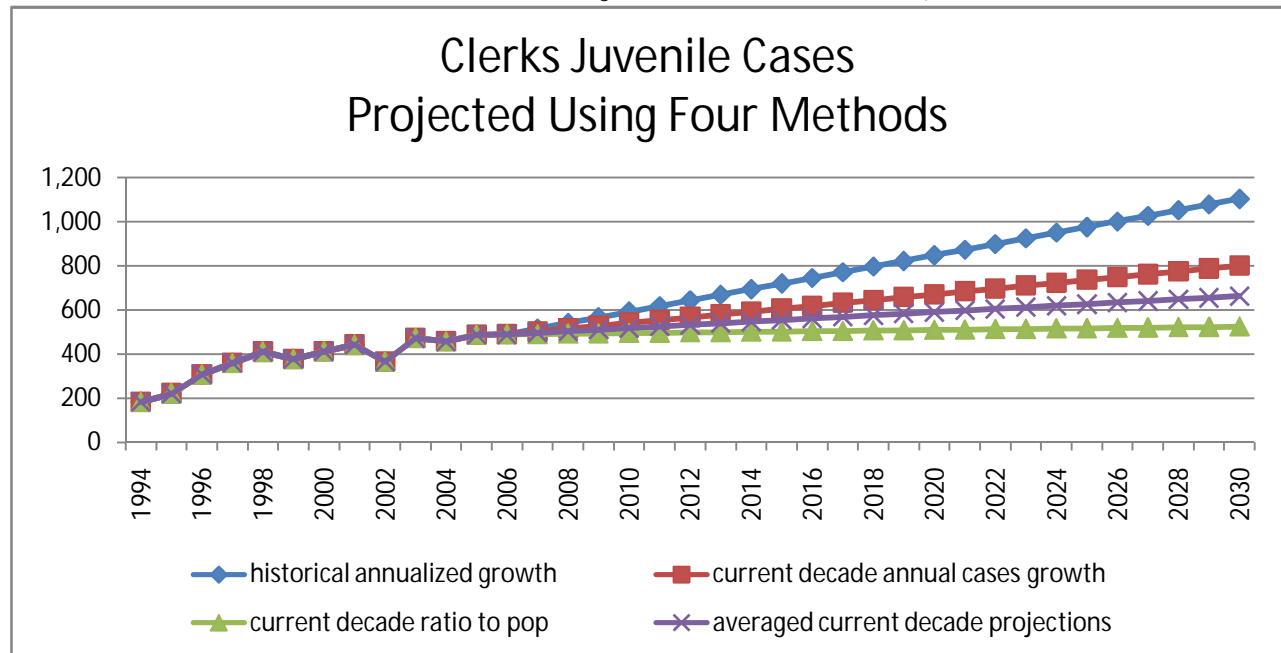


Table 26
Clerk of Court Juvenile Case Filings Projection Summary

	<u>Current</u>	<u>2008</u>	<u>2013</u>	<u>2018</u>	<u>2023</u>	<u>2028</u>	<u>2030</u>
Historic Annual Growth Trend	490	541	669	797	925	1,053	1,104
Current Decade Annual Growth	490	516	581	646	711	776	802
Current Decade Ratio to Population	490	493	500	508	515	523	526
Planning Average	490	504	541	577	613	649	664

Comment

- Juvenile cases will continue to be a presence in the clerk's office with 20 percent of the workload. However, it is not likely, given the current age demographics of Franklin County that Juvenile cases will grow at a rate seen in the mid 1990s.
- The growth rate of Juvenile cases will be more closely linked to the Current Decade Ratio to Population with an expected growth by just fewer than ten percent by 2030.

Prothonotary

c. Total Case Filings

Figure 12
Prothonotary Historic and Projected Workload, 1994- 2030

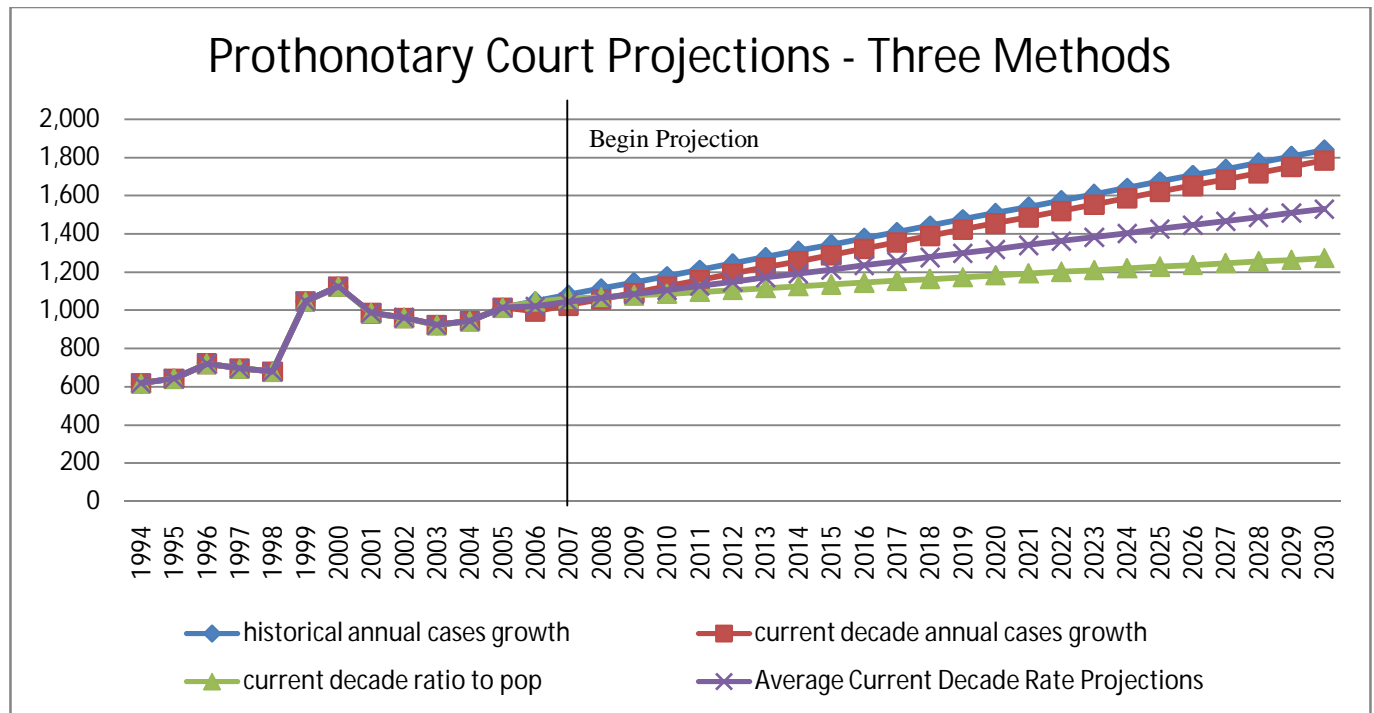


Table 27
Prothonotary Case Filings Projection Summary

	<u>Current</u>	<u>2008</u>	<u>2013</u>	<u>2018</u>	<u>2023</u>	<u>2028</u>	<u>2030</u>
Historic Annual Growth Trend	1,043	1,113	1,278	1,443	1,608	1,773	1,839
Current Decade Annual Growth	1,043	1,058	1,223	1,388	1,553	1,718	1,784
Current Decade Ratio to Population	1,043	1,070	1,116	1,164	1,211	1,256	1,274
Planning Average	1,043	1,064	1,169	1,276	1,382	1,487	1,529

- The Prothonotary Court has historically seen big jumps in filings, as well as seeing a relatively flat filing increase in the past four years.
- Both the Historic Annual Growth (1994- 2007) and Current Decade Annual Growth (2000-2007) trend lines indicate that case filings would rise to around 1,800 by 2030, a 65 percent and 69 percent increase respectively. This projection is steeply upward and is heavily influenced by the sharp rise in filings between 1998 and 2000. Filings have stayed up since

2000, but have not risen by the same proportion, and have in fact been rather flat since that time.

- Projecting new filings in the Current Decade Ratio to Population, a rise to about 1,300 would be expected by 2030, a 19 percent increase. This number of new cases in 2030 would be barely above the number of cases seen in 2000.
- The two analyses just discussed suggest that neither of these projections seems completely likely; the historical trend probably exaggerates growth, while the current ratio with population trend is held down by the predicted lowering rates of population growth.
- The best approach in this situation may be the Planning Average of the two projections, which would predict 1,500 cases in the year 2030, a nearly 47 percent increase, or about two percent annually.

d. Individual Case Types Projected Growth

Figure 13
Prothonotary Historic and Projected Civil Caseload, 1994- 2030

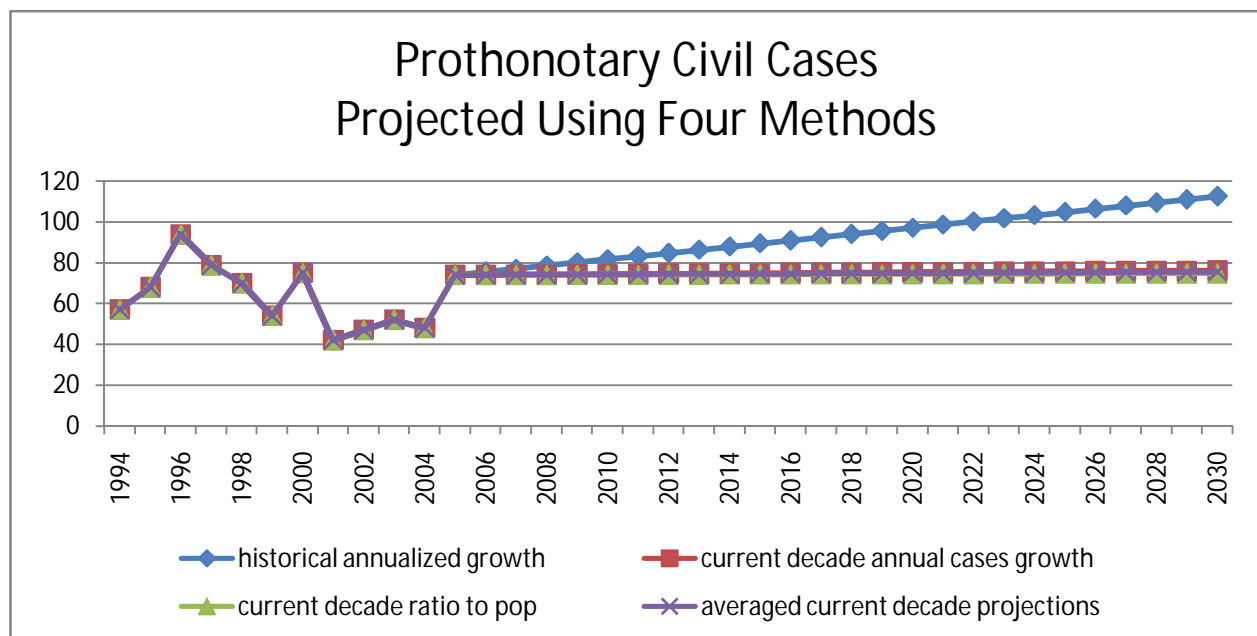


Table 28
Prothonotary Civil Case Filings Projection Summary

	<u>Current</u>	<u>2008</u>	<u>2013</u>	<u>2018</u>	<u>2023</u>	<u>2028</u>	<u>2030</u>
Historic Annual Growth Trend	74	79	86	94	102	110	113
Current Decade Annual Growth	74	74	75	75	76	76	76
Current Decade Ratio to Population	74	74	74	75	75	75	75
Planning Average	74	74	75	75	75	75	76

Comment

- Due to the significant drop in civil case filings between 1996 and 1999 of 74 percent and again from 2000 and 2004 of an additional 56 percent (total of 96 percent decrease between 1996 and 2004), the Current Decade Annual Growth and Ratio to Population Trend lines most likely exaggerate a flat trend, and discounting the expected increase in population.
- Because civil filings have historically fluctuated and recovered, it is assumed that civil filings will remain a growing case type, and one of the strongest influences in the Prothonotary Office. The Historic Annual Growth Trend estimates just over 52 percent growth by 2030.

Figure 14
Prothonotary Historic and Projected Divorce Caseload, 1994- 2030

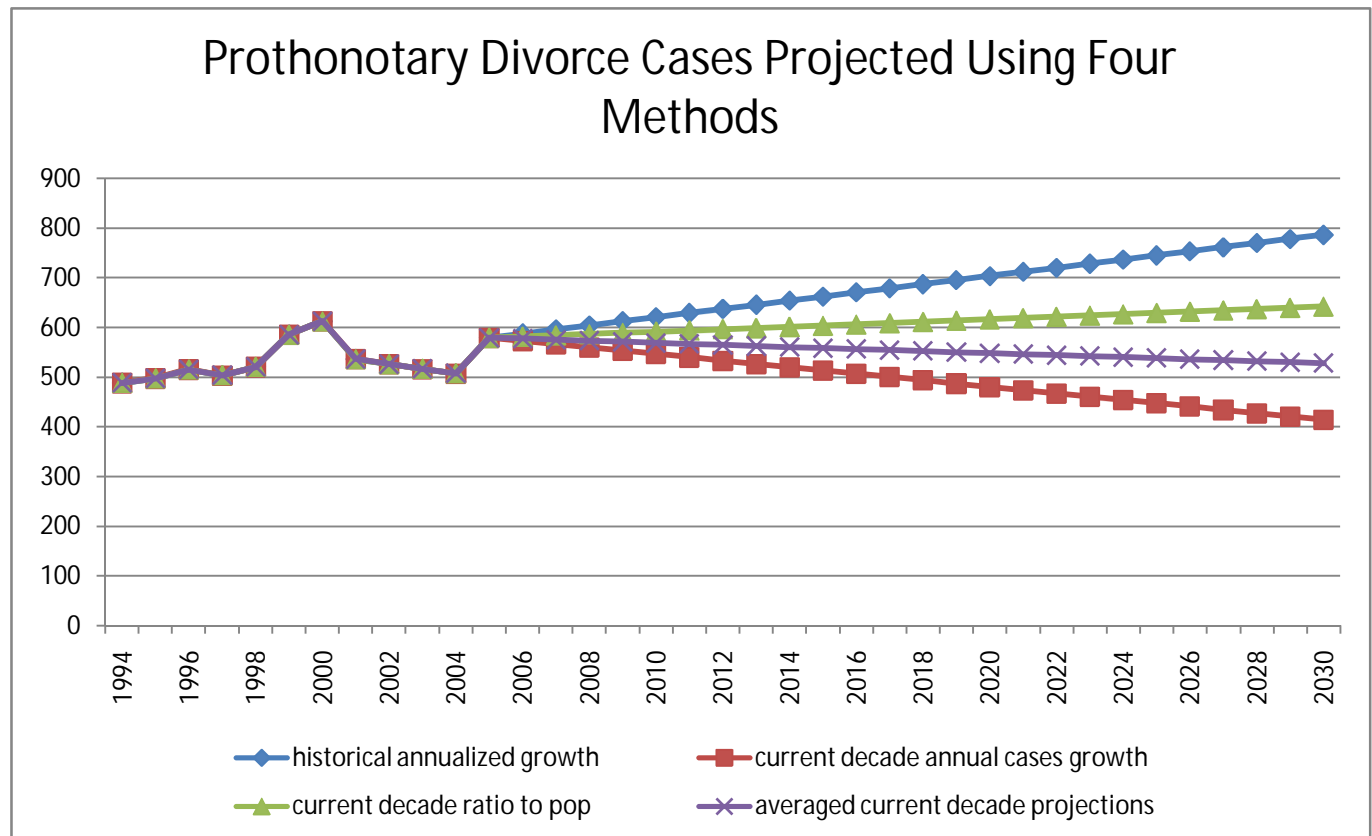


Table 29
Prothonotary Divorce Case Filings Projection Summary

	<u>Current</u>	<u>2008</u>	<u>2013</u>	<u>2018</u>	<u>2023</u>	<u>2028</u>	<u>2030</u>
Historic Annual Growth Trend	580	605	646	688	729	770	787
Current Decade Annual Growth	580	560	527	494	461	428	415
Current Decade Ratio to Population	580	587	599	612	625	637	643
Planning Average	580	576	563	553	543	533	529

Comment

- Divorce case filings coming into the Prothonotary Office historically remained between 500 and 600 cases annually. With the increasing population in Franklin County, it is expected that divorce case filings will increase by ten percent, about 0.5 percent per year. The staff time currently allocated to handle the divorce case types are likely not needed to increase in the future.

Figure 15
Prothonotary Historic and Projected Custody Caseload, 1994- 2030

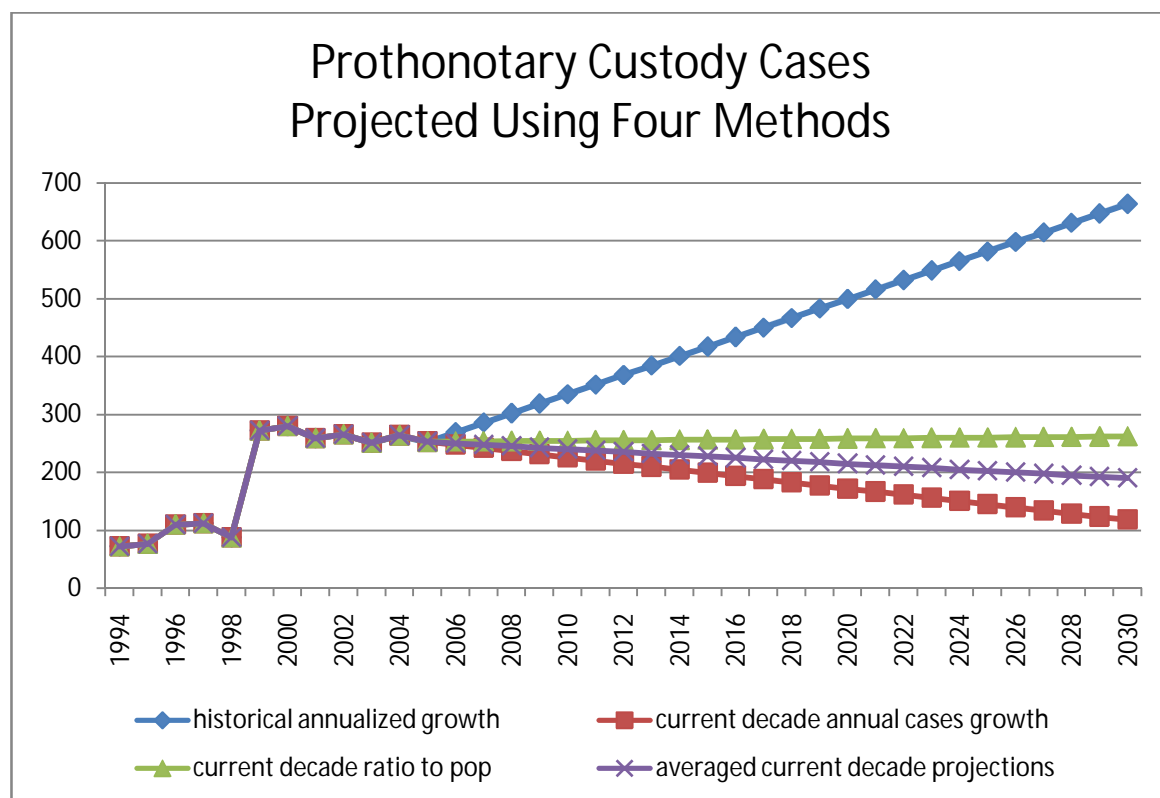


Table 30
Prothonotary Custody Case Filings Projection Summary

	<u>Current</u>	<u>2008</u>	<u>2013</u>	<u>2018</u>	<u>2023</u>	<u>2028</u>	<u>2030</u>
Historic Annual Growth Trend	253	302	385	467	549	631	664
Current Decade Annual Growth	253	237	210	183	156	129	118
Current Decade Ratio to Population	253	254	256	258	260	261	262
Planning Average	253	243	230	218	208	195	190

Comment

- Historically, custody cases have been declining since year 2000. With Franklin County expecting to continue to have an aging population, it is unlikely that Custody case filings will increase dramatically in the future, unless there is a significant cultural change in the county, such as an emerging market that will attract a younger demographic. Three to four percent growth can be expected in custody case filings by 2030.

Figure 16
Prothonotary Historic and Projected Custody Caseload, 1999- 2030

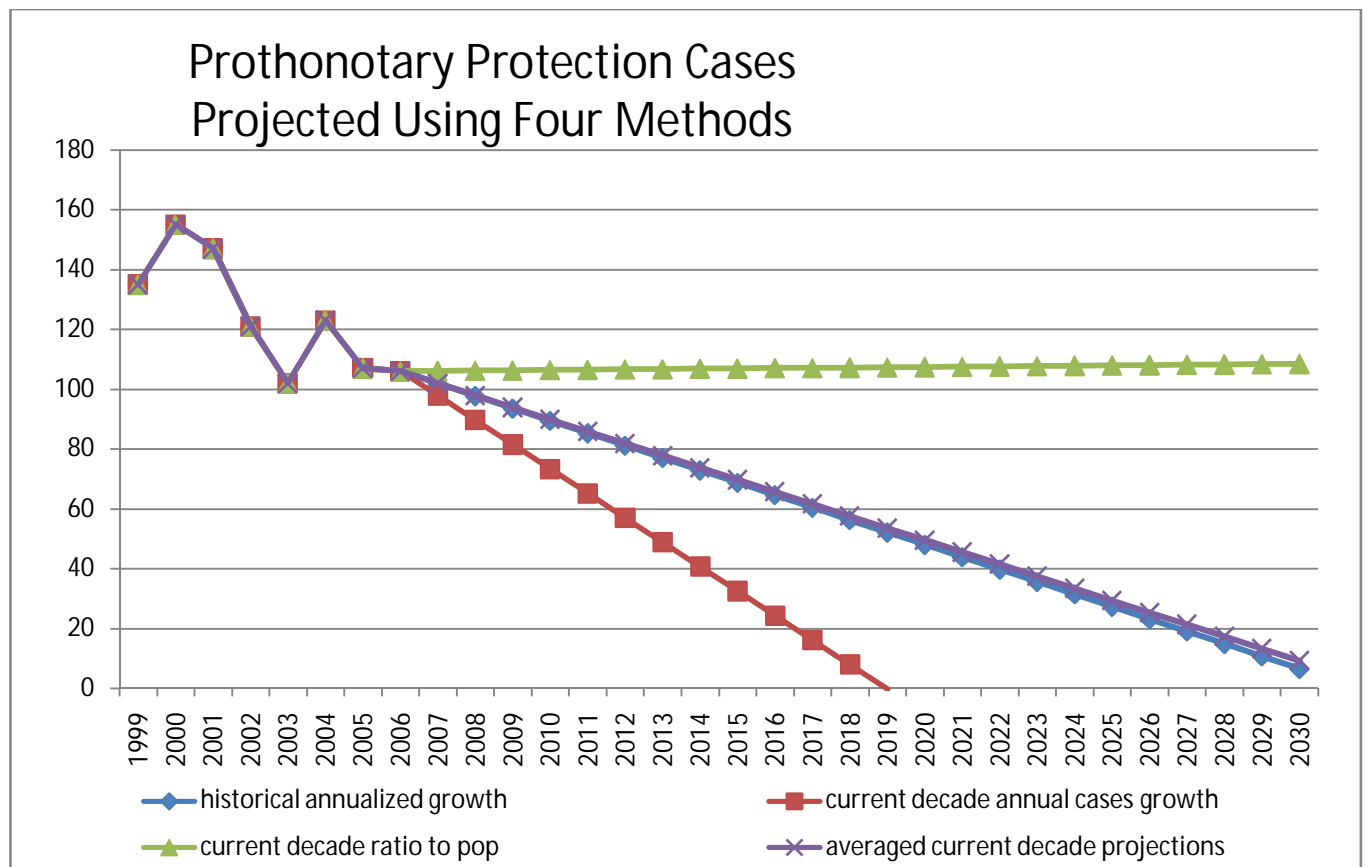


Table 31
Prothonotary Protection Case Filings Projection Summary

	<u>Current</u>	<u>2008</u>	<u>2013</u>	<u>2018</u>	<u>2023</u>	<u>2028</u>	<u>2030</u>
Historic Annual Growth Trend	106	98	77	56	36	15	7
Current Decade Annual Growth	106	90	49	8	0	0	0
Current Decade Ratio to Population	106	106	107	107	108	108	108
Planning Average	106	98	82	58	37	17	9

Comment

- Protection case filings were only available from 1999 on. Protection case filings have been on the decline since 2000, dropping more than 30 percent.
- A stabilized projection with a flat rate compensates for any additional drop in the near future and subsequent rise in the future, as it is unlikely that protection cases will ever drop completely to zero. However, it is unlikely given the county demographics, that Franklin County will reach the historic highs experienced in 2000.

Domestic Relations

Figure 17
Domestic Relations Historic and Projected Workload, 1994- 2030

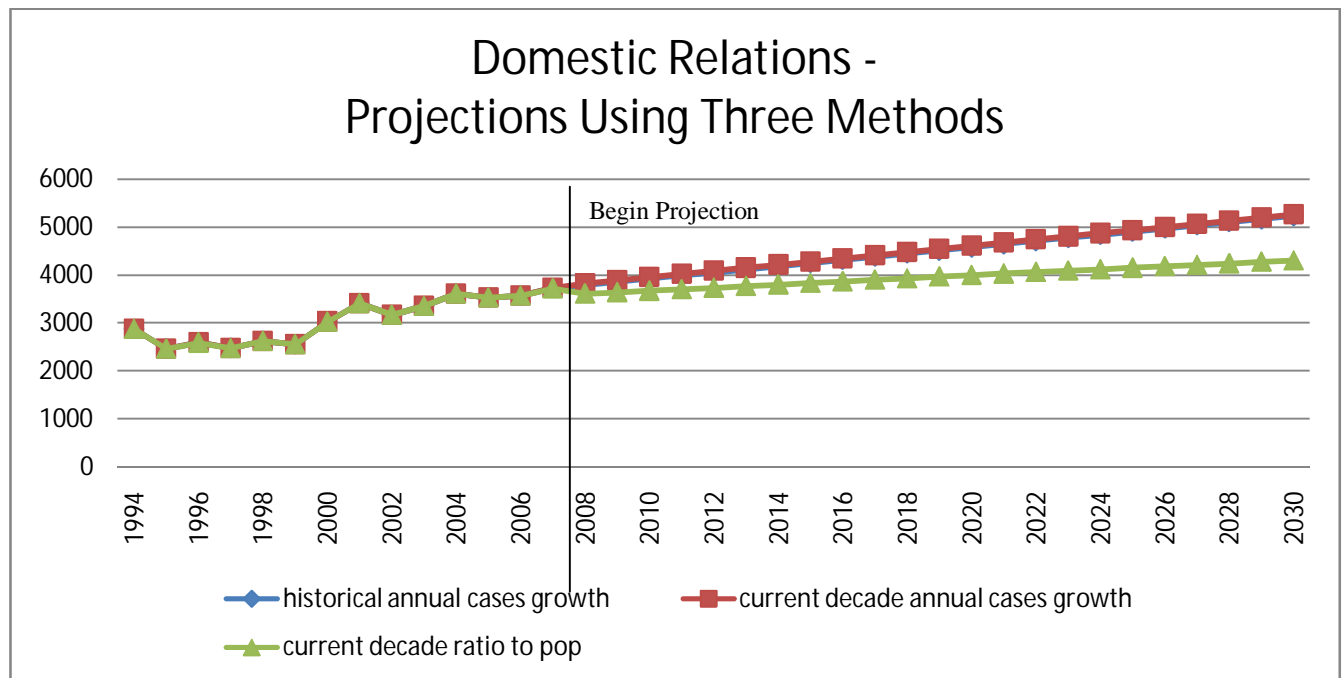


Table 32
Domestic Relations Case Filings Projection Summary

	<u>Current</u>	<u>2008</u>	<u>2013</u>	<u>2018</u>	<u>2023</u>	<u>2028</u>	<u>2030</u>
Historic Annual Growth Trend	3,731	3,796	4,124	4,451	4,778	5,106	5,237
Current Decade Annual Growth	3,731	3,831	4,158	4,485	4,812	5,140	5,271
Current Decade Ratio to Population	3,731	3,576	3,779	3,944	4,101	4,253	4,314
Planning Average	Not Used in this Analysis						

Comment

- The Historic Annual Growth Trend and the Current Decade Annual Growth trend, estimate a rise in case filings to about 5,200 cases to be expected by 2030, a nearly 40 percent increase, or just under two percent annually.
- Using the Current Decade Ratio to Population Trend, case filings would be projected to reach as high as 4,300 cases annually, a 16 percent increase, or less than one percent annually.
- For Planning Purposes, the Current Decade Annual Growth Trend was agreed to be a more accurate representation of future case filing growth.

Orphans' Court

Figure 18
Orphans' Court Historic and Projected Judicial Workload, 1995- 2030

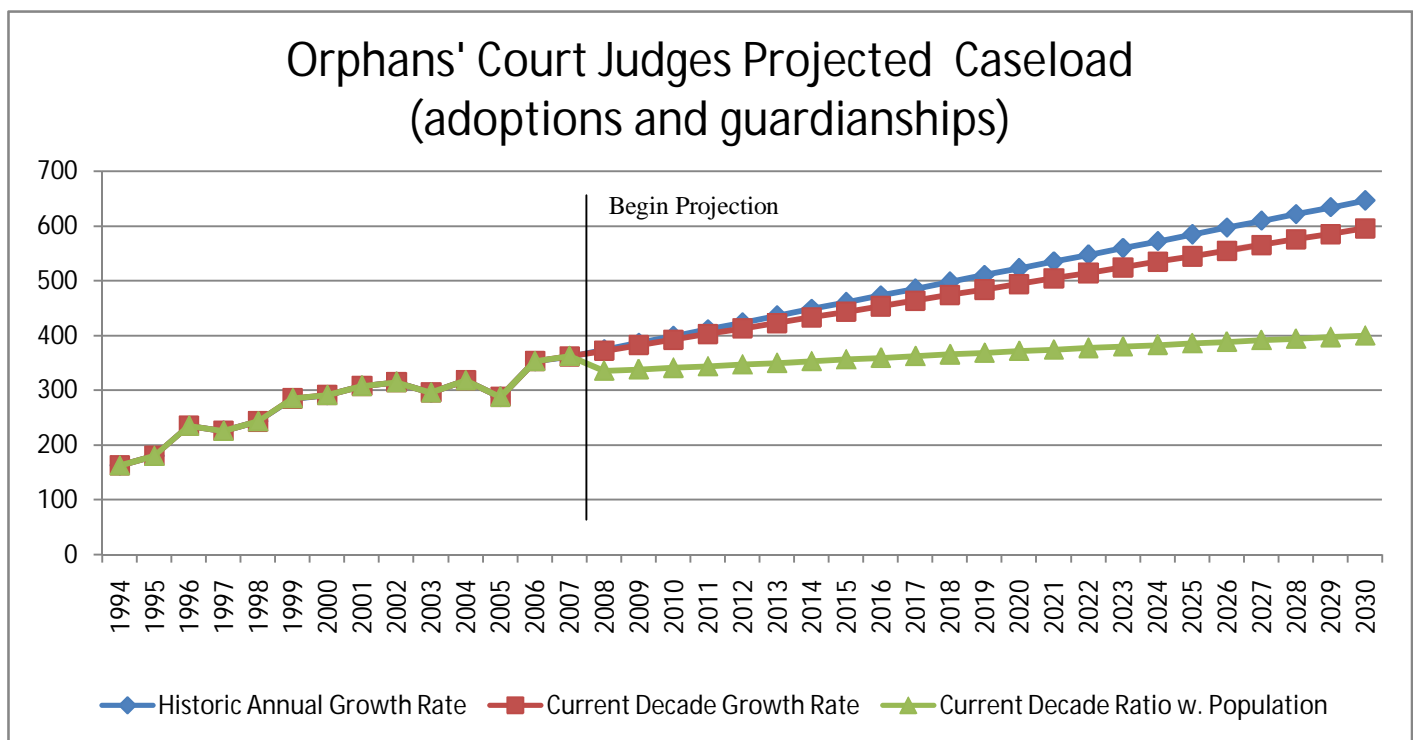


Table 33
Orphans' Court Judicial Case Filings Projection Summary

	<u>Current</u>	<u>2008</u>	<u>2013</u>	<u>2018</u>	<u>2023</u>	<u>2028</u>	<u>2030</u>
Historic Annual Growth Trend	372	374	436	498	560	622	646
Current Decade Annual Growth	372	372	423	474	524	575	595
Current Decade Ratio to Population	372	336	350	365	380	394	400
Planning Average	Not Used in this Analysis						

Comment

- It is important to note that not all case filings coming in to the Orphans' Court require Judicial time, rather they are administrative functions. Therefore, the Orphans' Court projection has been broken out into two sections, Judicial filings and Staff filings.
- Adoptions and guardianships have historically grown slowly but steadily. The same will probably hold for the future, with perhaps an increased rate for guardianships as the population ages. The increase will most likely follow the Current Decade Annual Growth Trend.
- Using the Current Decade Annual Growth Trend, it is projected that new cases will rise from 372 cases in 2008 to nearly 600 cases in 2030, nearly 60 percent or 2.7 percent annually.
- The Current Decade Ratio to Population estimates that there will only be 7.5 percent growth in 30 years. This is attributed to the slowing rate of population growth, but does not account for the changing needs of that population, therefore this projection was not chosen.

Figure 19
Orphans' Court Historic and Projected Staff Workload, 1995- 2030

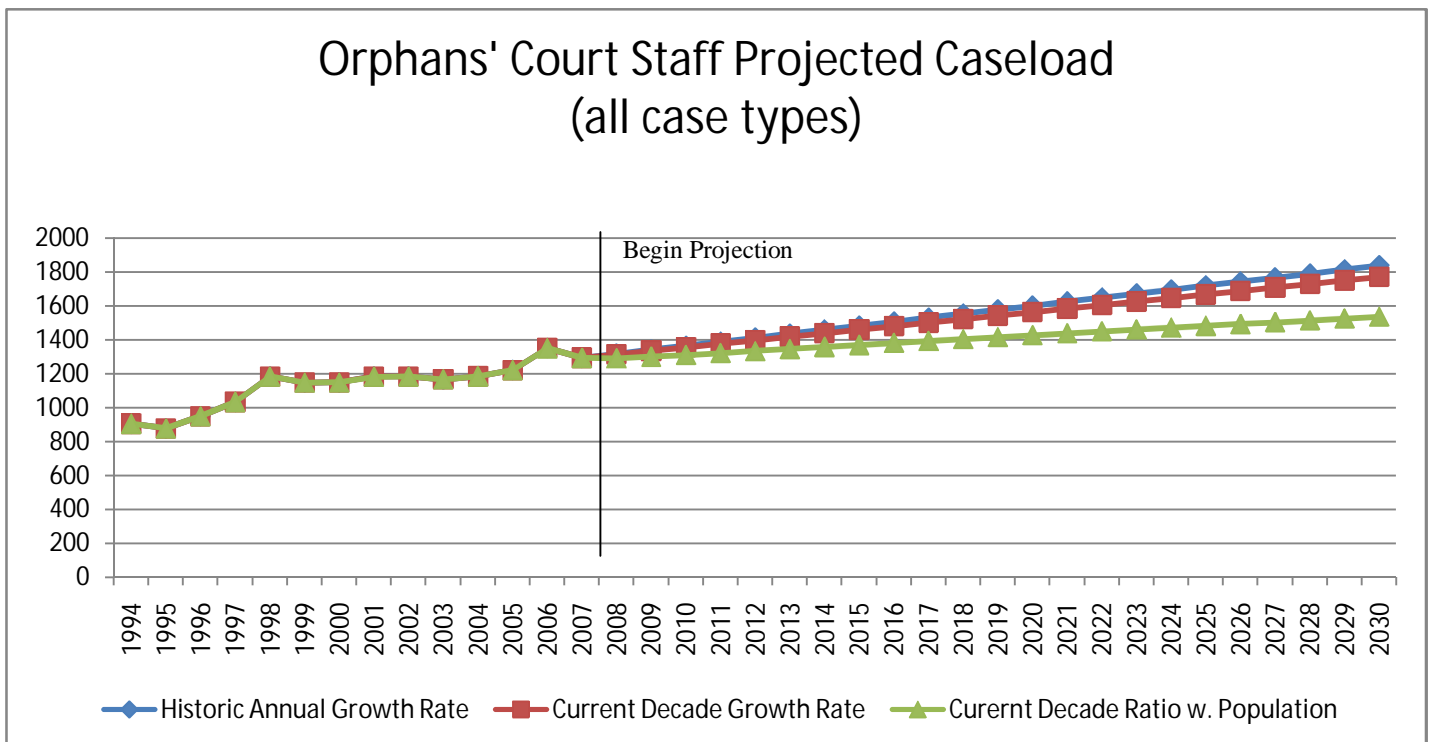


Table 34
Orphans' Court Staff Case Filings Projection Summary

	<u>Current</u>	<u>2008</u>	<u>2013</u>	<u>2018</u>	<u>2023</u>	<u>2028</u>	<u>2030</u>
Historic Annual Growth Trend	1,315	1,318	1,436	1,554	1,672	1,790	1,838
Current Decade Annual Growth	1,315	1,315	1,418	1,522	1,625	1,729	1,770
Current Decade Ratio to Population	1,315	1,291	1,347	1,405	1,461	1,516	1,537
Planning Average	Not Used in this Analysis						

- The Historic Annual Growth Trend projections that new case filings for administrative staff will increase from 1,318 cases in 2008 to just over 1,800 case filings in 2030, a 39 percent total increase, or 1.8 percent annual increase.
- Current Decade Annual Growth projections calculate 35 percent growth from 2008 to 2030, or 1.6 percent annually.
- The Current Decade Ratio to Population Trends yields the lowest growth of only 26 percent in 22 years, or just over one percent. It was determined that this growth rate was unrealistic to the current case filings and case complexity handled by the Orphans' Court.
- It was understood that the Current practices and case filing compositions are more likely to continue into the future and to maintain a consistent methodology throughout the projections, it was determined to use the Current Decade Annual Growth of 35 percent to determine the Orphans' Court growth.

Magisterial District Court

Figure 19
Magisterial District Court Historic and Projected Workload, 1995- 2030

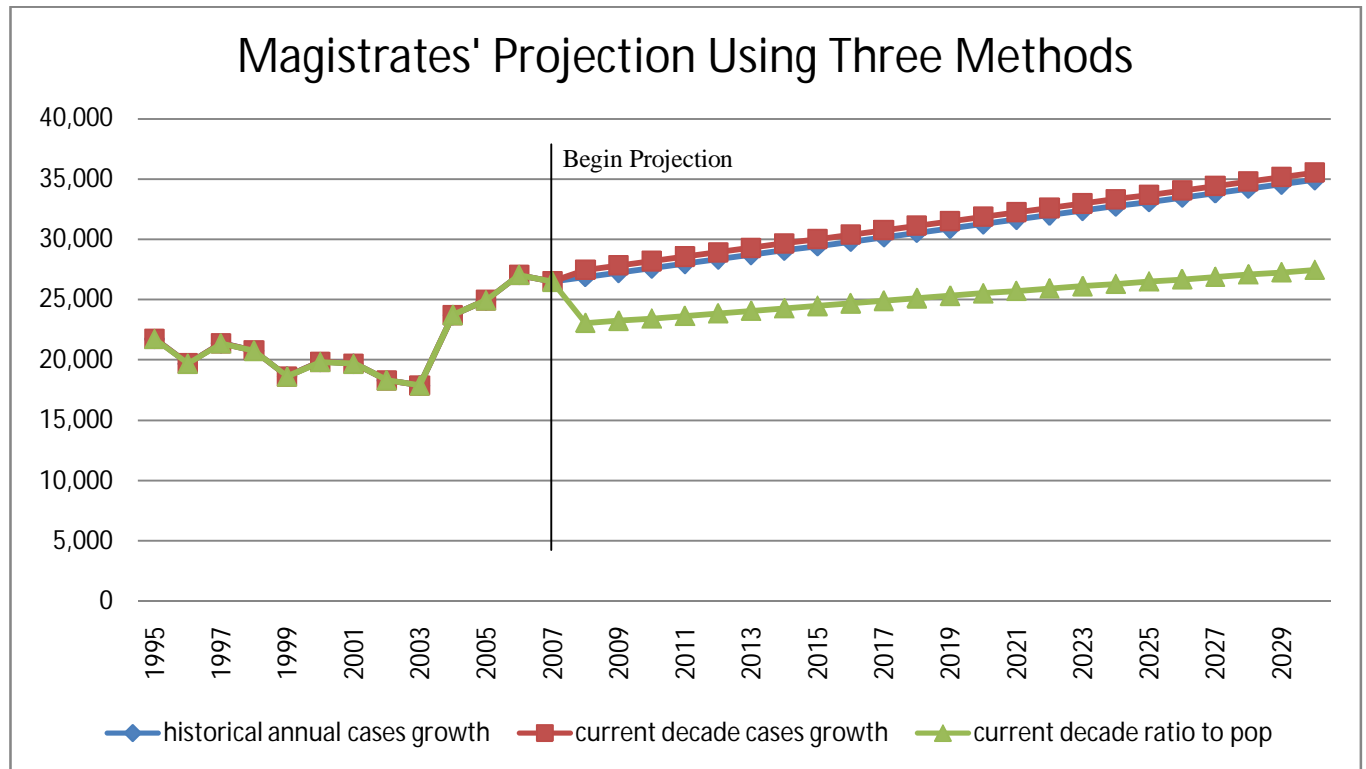


Table 35
Magisterial District Court Case Filings Projection Summary

	<u>Current</u>	<u>2008</u>	<u>2013</u>	<u>2018</u>	<u>2023</u>	<u>2028</u>	<u>2030</u>
Historic Annual Growth Trend	26,507	26,874	28,708	30,541	32,375	34,209	34,943
Current Decade Annual Growth	26,507	27,461	29,295	31,129	32,963	34,796	35,530
Current Decade Ratio to Population	26,507	23,082	24,072	25,123	26,707	27,095	27,483
Planning Average	Not Used in this Analysis						

Comment

- It should be noted that this data represents data from all of the Magisterial District Courts in Franklin County, as case filings for individual locations was unavailable, and the increase shown in the last three years may not have been in Chambersburg.
- The Magistrate Court had seen decreasing filings from 1995 to 2003 from 21,739 cases to 17,886 cases, an 18 percent drop, followed by a sharp increase in filings from 2003-2006 with cases growing to 27,050, an increase of 51 percent.

- Because a projection cannot be made on just three years of historical data, the NCSC team used the same three projection methods it used for the other divisions, so the current decade case growth and current decade ratio to population are based on data from 2000 to the present.
- For planning purposes, the Current Decade Annual Growth Trend was agreed to be a more accurate representation of future case filing growth.
- It is projected that case-filings, state-wide could increase from 26,507 cases currently to just over 35,500 cases in 2030. This represents a total increase in filings of nearly 34 percent, or 1.5 percent annually.
- Although the case filings are a state-wide total, it is assumed that the case filing trends will be the same in each Magisterial District, therefore the 1.3 percent annual growth rate in case filings will be used to determine the expected growth for the Chambersburg Magisterial District Court.

Figure 20
Magisterial District Court Historic and Projected Criminal Caseload, 1995- 2030

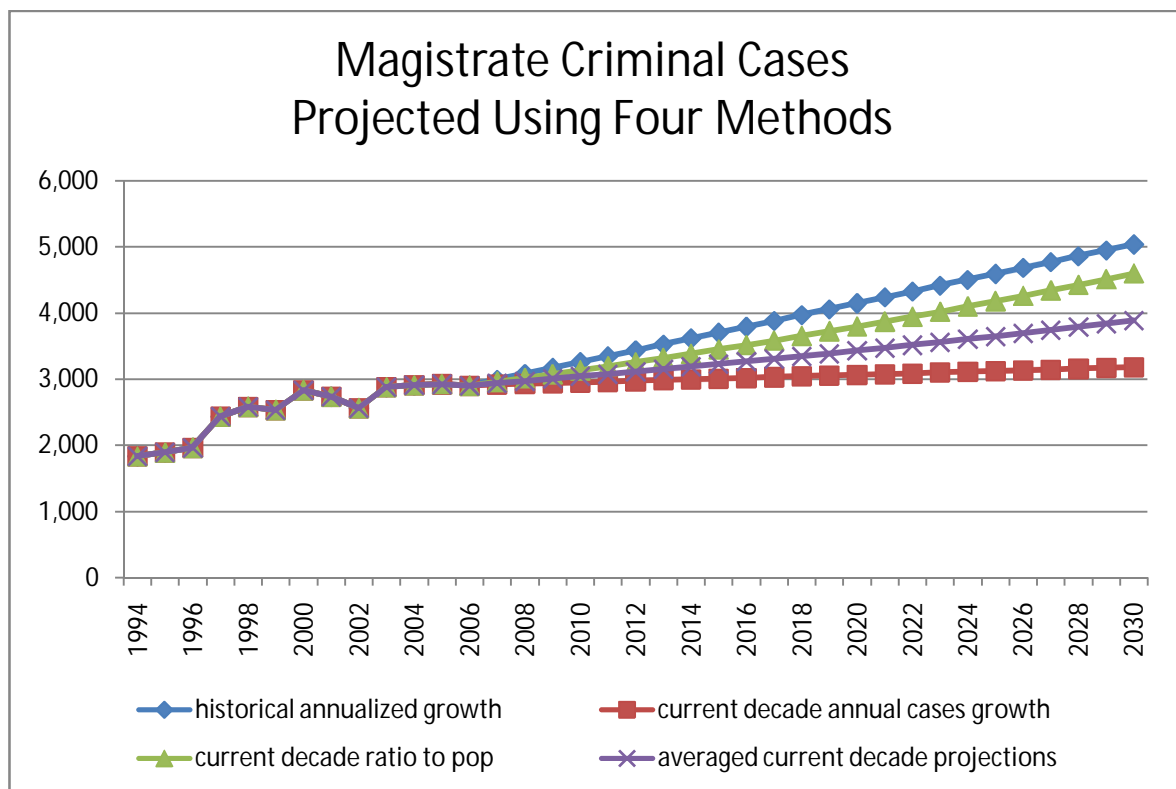


Table 36
Magisterial District Court Criminal Case Filings Projection Summary

	<u>Current</u>	<u>2008</u>	<u>2013</u>	<u>2018</u>	<u>2023</u>	<u>2028</u>	<u>2030</u>
Historic Annual Growth Trend	2,906	3,084	3,529	3,974	4,419	4,864	5,042
Current Decade Annual Growth	2,906	2,929	2,987	3,044	3,102	3,159	3,182
Current Decade Ratio to Population	2,906	3,019	3,323	3,656	4,024	4,428	4,600
Planning Average	2,906	2,974	3,155	3,350	3,563	3,842	3,891

Comment

- Criminal case filings in the Magisterial District Court, state-wide, are estimated to grow by nearly 34 percent, or 1.5 percent annually. The Planning Average was used due to the imbalance of growth seen in the late 1990s in comparison to the early 2000s.
- The Current Decade Annual Growth projection does not account for the historic growth rates that were much higher than the current and only project 9.5 percent growth by 2030
- The Historic Annualized Trend overcompensates for the current slowing trend of growth estimating a 74 percent growth by 2030, or just over 3 percent annually.

Figure 21

Magisterial District Court Historic and Projected Private Criminal Caseload, 1995- 2030

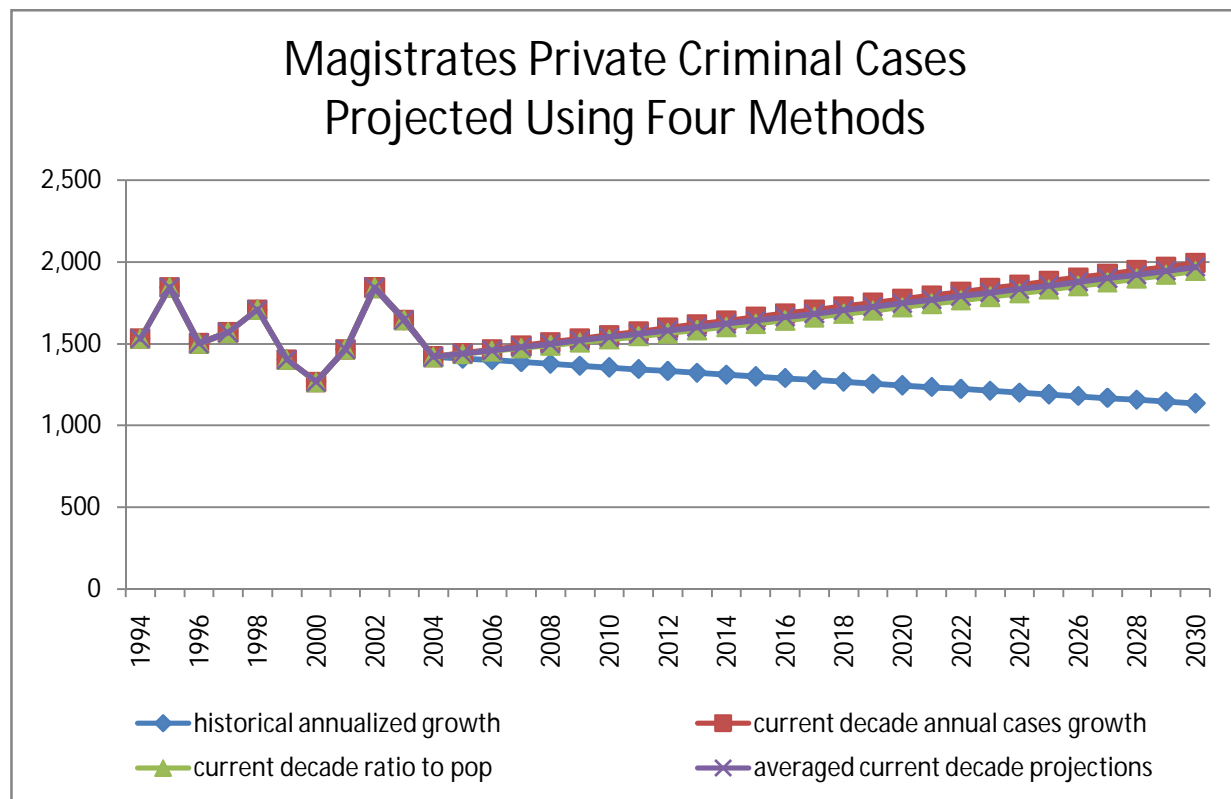


Table 37
Magisterial District Court Private Criminal Case Filings Projection Summary

	<u>Current</u>	<u>2008</u>	<u>2013</u>	<u>2018</u>	<u>2023</u>	<u>2028</u>	<u>2030</u>
Historic Annual Growth Trend	1,422	1378	1323	1268	1213	1158	1136
Current Decade Annual Growth	1,422	1510	1620	1730	1840	1950	1994
Current Decade Ratio to Population	1,422	1492	1585	1684	1789	1901	1947
Planning Average	1,422	1501	1603	1707	1815	1925	1971

Comment

- Because cases filing rates for Private Criminal cases have varied significantly and are currently on a downward trend, the Historical Annual Growth Trend exaggerates this trend and negatively projects case filings. While it is estimated that Private Criminal case filings will not reach their historic peaks for some time, a negative growth trend is not likely. For consistency, the Planning Average was chosen as the best projection with a projected 39 percent growth by 2030.

Figure 22
Magisterial District Court Historic and Projected Traffic Caseload, 1995- 2030

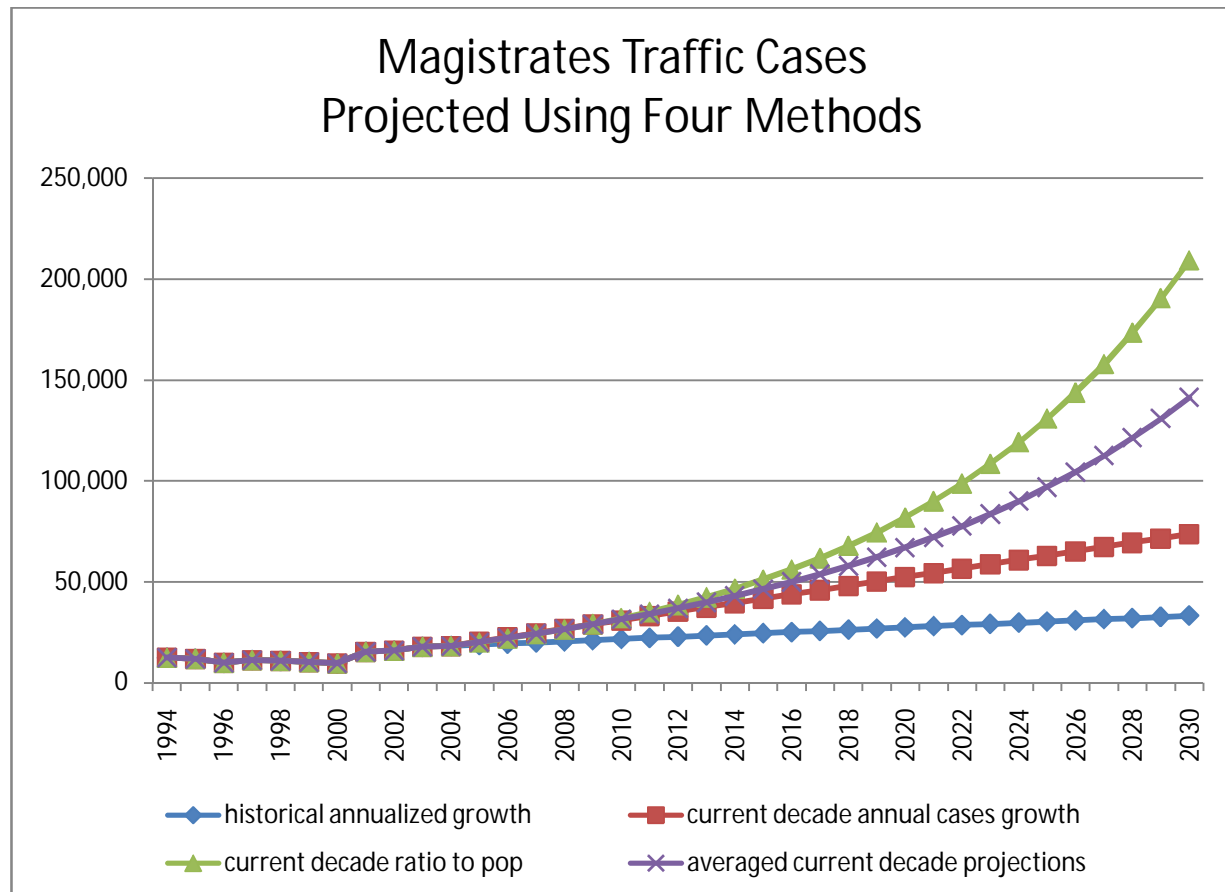


Table 38
Magisterial District Court Traffic Case Filings Projection Summary

	<u>Current</u>	<u>2008</u>	<u>2013</u>	<u>2018</u>	<u>2023</u>	<u>2028</u>	<u>2030</u>
Historic Annual Growth Trend	18,280	20,580	23,454	26,329	29,203	32,078	33,227
Current Decade Annual Growth	18,280	26,806	37,464	48,121	58,779	69,436	73,699
Current Decade Ratio to Population	18,280	26,598	42,504	67,924	108,545	173,459	209,233
Planning Average	18,280	26,702	39,984	58,022	83,662	121,447	141,466

Comment

- Here again we see that because the Magisterial District Court varied so much from the ratio to population, the Current Decade Ratio to Population Trend overly exaggerates the historic case filing growth and estiamtes an unreasonable growth. Because of this the Planning Average is also distorted and not usable.
- The current decade annual growth, does not consider the historic trends, and while there is growth with traffic cases, this trend only looks at the recent rates and overly projects an unreasonable caseload. Therefore, the Historic Annualized Trend is the best to determine future staff needs, as this case type undoubtedly will always be the heaviest caseload.

Figure 23
Magisterial District Court Historic and Projected Non-Traffic Caseload, 1995- 2030

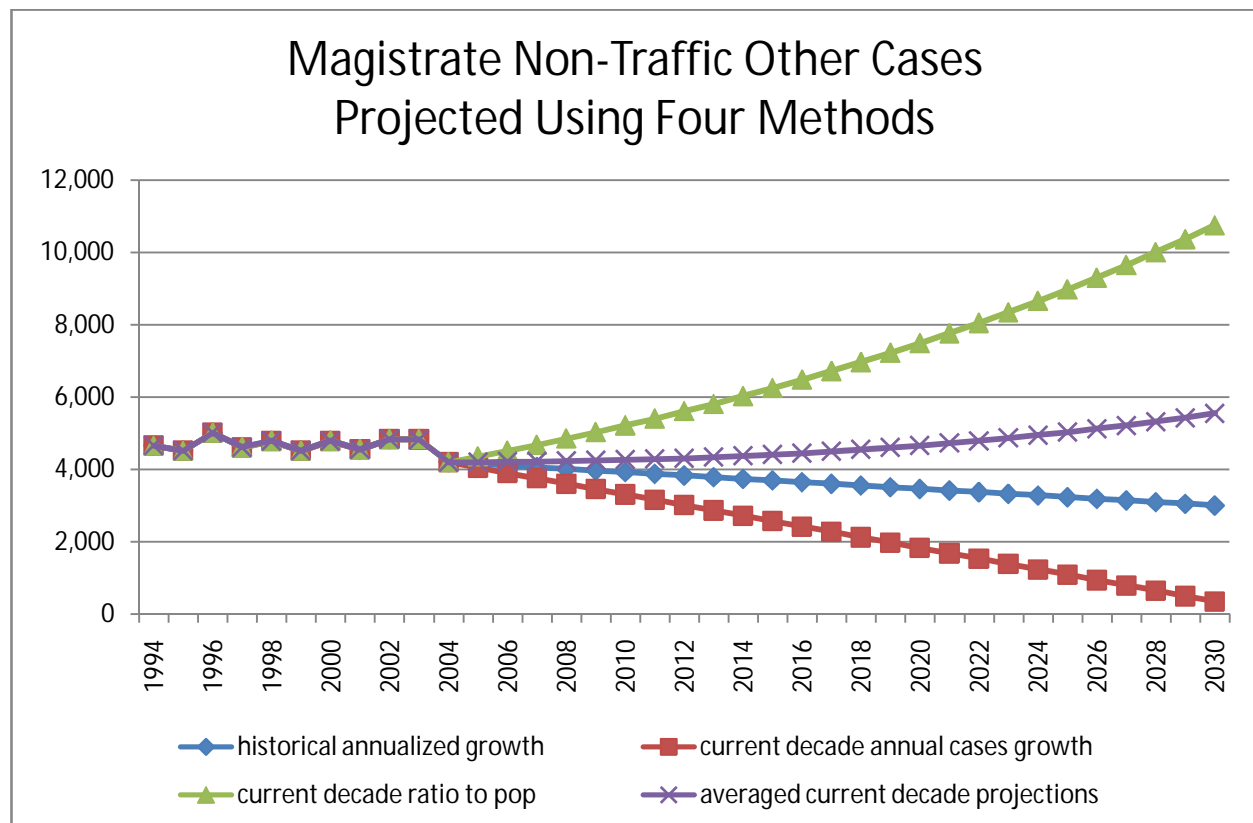


Table 39
Magisterial District Court Non-Traffic Case Filings Projection Summary

	<u>Current</u>	<u>2008</u>	<u>2013</u>	<u>2018</u>	<u>2023</u>	<u>2028</u>	<u>2030</u>
Historic Annual Growth Trend	4,205	4,021	3,791	3,561	3,331	3,101	3,009
Current Decade Annual Growth	4,205	3,613	2,873	2,133	1,393	653	357
Current Decade Ratio to Population	4,205	4,859	5,821	6,974	8,356	10,379	10,761
Planning Average	4,205	4,236	4,347	4,554	4,874	5,442	5,559

Comment

- The Planning Average was chosen as the most accurate projection of case filings. It is estimated that Non-traffic Cases will grow by 32 percent, or just over one percent annually. The current ratios of staff to handle this case type should remain the same well into the future if business practices and laws remain the same.

Figure 24
Magisterial District Court Historic and Projected Civil Caseload, 1995- 2030

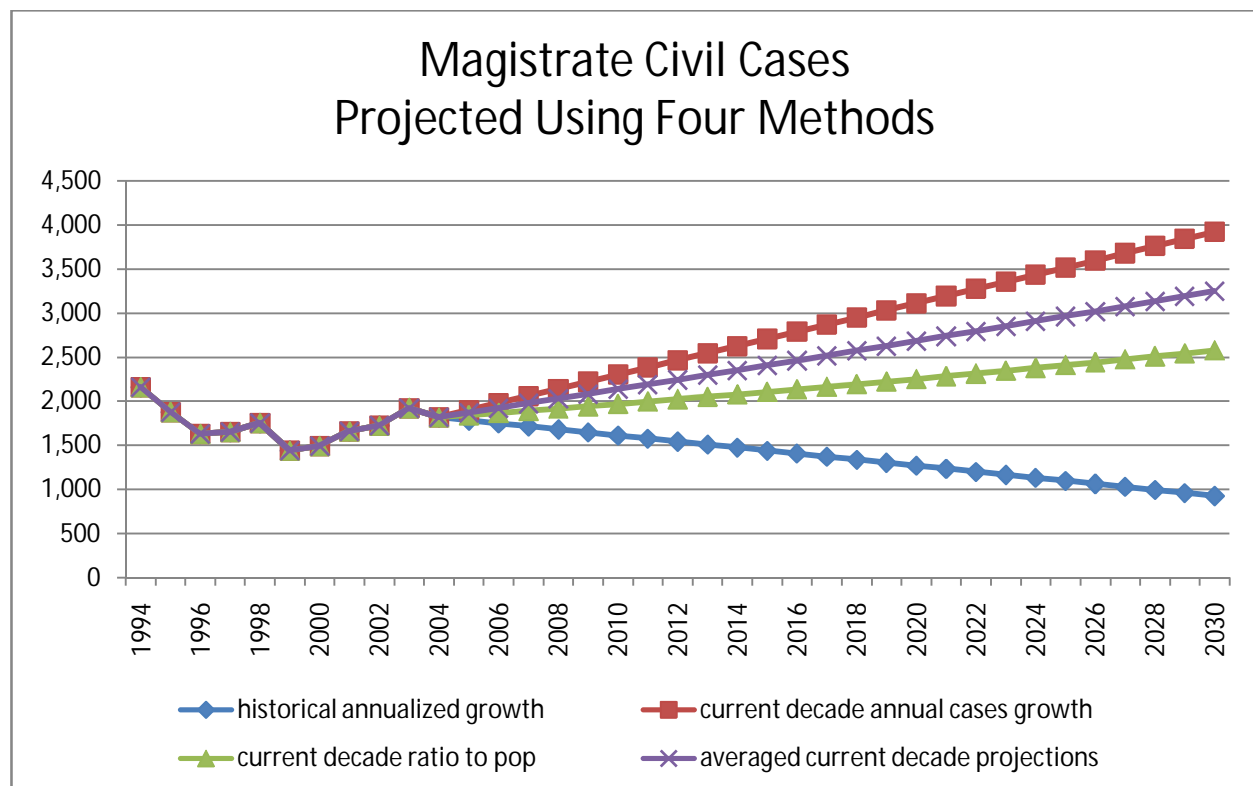


Table 40
Magisterial District Court Civil Case Filings Projection Summary

	<u>Current</u>	<u>2008</u>	<u>2013</u>	<u>2018</u>	<u>2023</u>	<u>2028</u>	<u>2030</u>
Historic Annual Growth Trend	1,819	1,682	1,510	1,339	1,167	996	927
Current Decade Annual Growth	1,819	2,143	2,467	2,953	3,358	3,763	3,925
Current Decade Ratio to Population	1,819	1,919	2,025	2,195	2,348	2,511	2,580
Planning Average	1,819	2,031	2,246	2,574	2,853	3,137	3,253

Comment

- The Current Decade Annualized Growth Trend overly estimates the rate of growth by only looking at the current rate from 2000 to 2004 and projects a caseload unreasonably high. This over projection also raises the Planning Average to a distorted level.
- The Current Decade Ratio to Population gives a more realistic and historically accurate trend line that is more in keeping with the historic caseload rate of increase two percent annually.
- There was a bill in legislation at the time of this report that would increase the limit of civil complaints from \$8,000.00 to \$15,000.00 in the Magisterial District Courts. This will invariably have an impact on case filings. An examination of how many civil complaints currently and historically are valued between \$8,000 and \$15,000 will need to be done.

Figure 25
Magisterial District Court Historic and Projected Landlord-Tenant Caseload, 1995- 2030

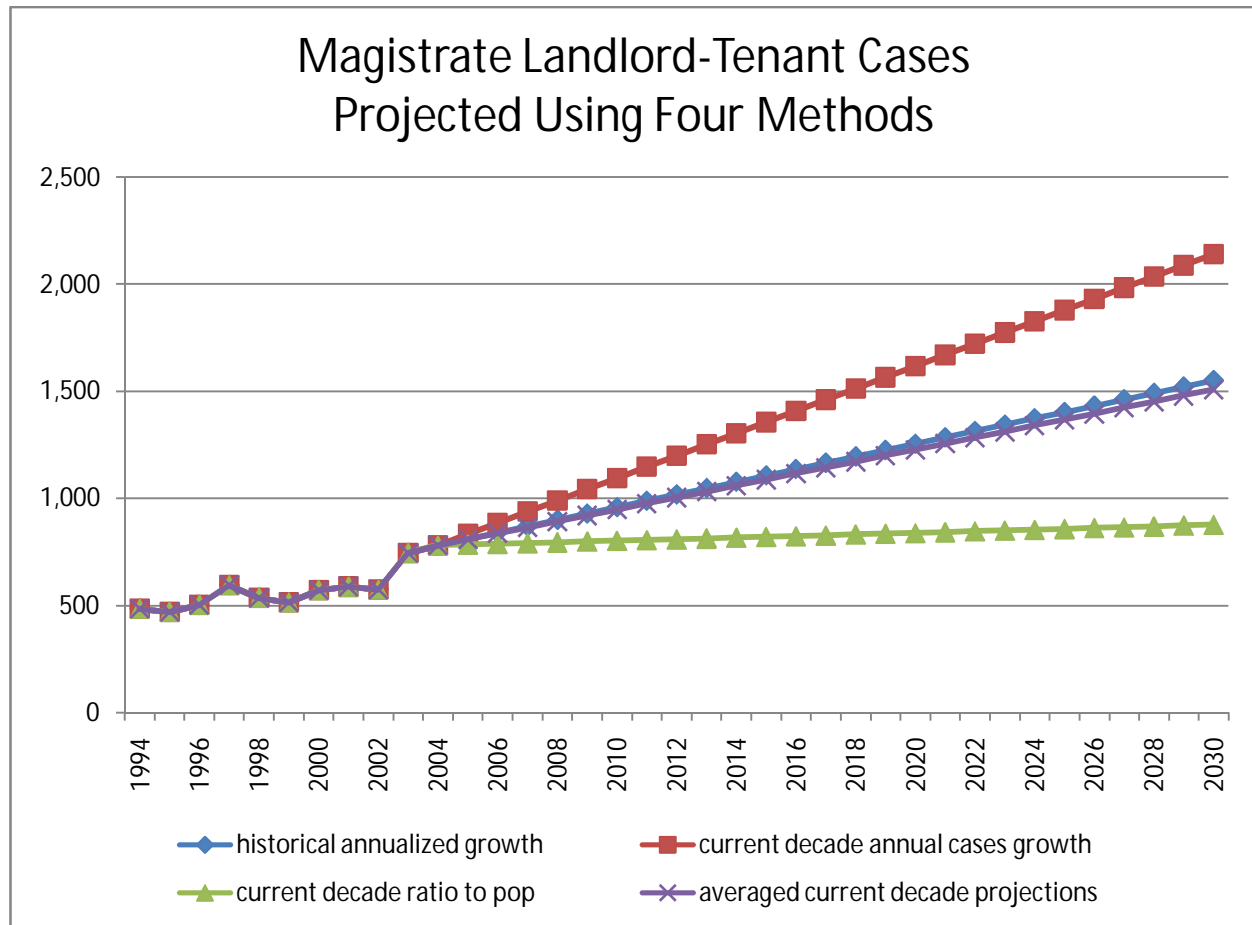


Table 41
Magisterial District Court Landlord- Tenant Case Filings Projection Summary

	<u>Current</u>	<u>2008</u>	<u>2013</u>	<u>2018</u>	<u>2023</u>	<u>2028</u>	<u>2030</u>
Historic Annual Growth Trend	781	899	1,047	1,195	1,343	1,491	1,551
Current Decade Annual Growth	781	990	1,251	1,513	1,774	2,035	2,140
Current Decade Ratio to Population	781	795	813	831	850	869	877
Planning Average	781	893	1,032	1,172	1,312	1,452	1,508

Comment

- Due to the recent spike in filings between 2002 and 2004 (36 percent), the Current Decade Annualized Growth, Historic Annualized Growth and Planning Average Trends are overly projecting an upward trend that is most likely only a one time spike. The Current Decade Ratio to Population shows more moderate, but more reasonable growth at 0.5 percent annually, more in keeping with the historic rate of growth between 1994 and 2002.

The following table summarizes the projected case filing trends in five year increments for all court divisions.

Table 42
Total Franklin County Court Case Filings Projection Summary

FRANKLIN COUNTY PROJECTED CASELOAD TO 2030							
	Projected Population	Clerk of Court Averaged Projection	Prothonotary Averaged Projection	Domestic Relations	Magisterial District Courts	Orphans' Court Judges Caseload	Orphans' Court Staff Caseload
2008	142,777	2833	1064	3831	27461	372	1315
2013	148,900	3153	1169	4158	29295	423	1418
2018	155,400	3476	1276	4485	31129	474	1522
2023	161,600	3796	1382	4812	32963	524	1625
2028	167,600	4115	1487	5140	34796	575	1729
2030	170,000	4242	1529	5271	35530	595	1770
Total Growth		50%	44%	38%	30%	60%	35%
Annual Growth		2.3%	2%	2%	1.3%	2.7%	1.6%

E. Fulton County Growth Projections

In addition to the caseload filed for Franklin County, Fulton County Court of Common Pleas case filings are also heard by the Franklin County Court Staff. Analyses of historic caseload data from Fulton County that are heard in the Court of Common Pleas and historic and projected county population and demographic information serve as a foundation for growth projections in the Franklin County long-range facility master plan.

Historical Caseload Analysis and Growth Trends

The first step necessary to produce projections of court caseloads for the next 20 years is measuring the current workload of the court. This is accomplished by analyzing recent historical case filing data and growth trends for the court. Here, NCSC presents such an analysis specific to the Fulton County case filings heard in the Court of Common Pleas, using historical data from 1994

through 2007.¹² A wide variety of methodologies and criteria are used to assess the workload of courts. For facility planning purposes, an analysis of the number of cases filed, by case type, over the past 15 years, provides sufficient guidance for estimating growth of the court system, levels of staffing, and long-term space needs.

In recognition of the inherent complexities in measuring court workload, the NCSC project team suggests that the assessment of current court workload for the master plan be interpreted narrowly, with the understanding that such an analysis is being done solely for facility planning purposes. The following tables present historical case filing data and trends by major case type for the Franklin County Court of Common Pleas, followed by an analyses.

Table 43
Historical Fulton County Case Filings from the AOPC

Year	Clerk of Courts	Prothonotary	Domestic	Magistrate	Orphans' Court	Total
1994	249	102	184	N/A	33	568
1995	229	83	126	8694	20	9152
1996	186	89	127	7889	30	8321
1997	189	91	62	9579	34	9955
1998	151	119	218	9684	22	10194
1999	193	128	218	10145	16	10700
2000	210	115	250	8680	19	9274
2001	171	101	329	180	29	810
2002	233	108	260	8559	24	9184
2003	171	137	297	7394	29	8028
2004	203	96	330	4998	17	5644
2005	209	107	324	5849	31	6520
2006	272	136	302	6372	38	7120
2007	N/A	N/A	N/A	6432	N/A	6432

¹² The sources of the historical Fulton County court caseload data used in this analysis are the annual caseload statistics reports of the Unified Judicial System of Pennsylvania compiled by the Administrative Office of the Pennsylvania Courts and case filings compiled by the Fulton County Clerk of Court and Prothonotary.

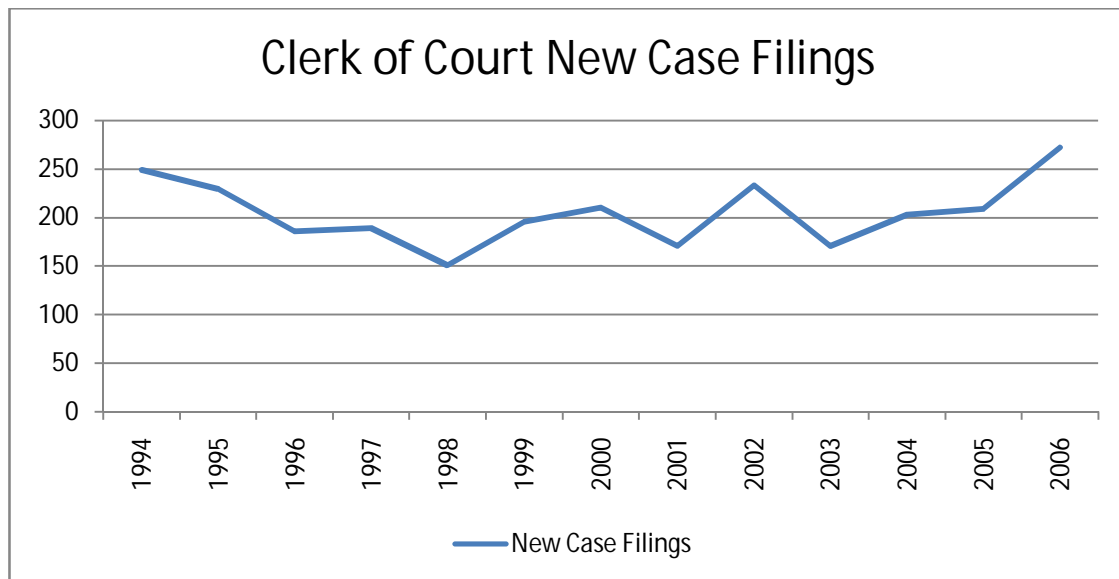
F. Historic Case Filing Trends by Major Functional Area

Clerk of Courts

Table 44
Historical Case Filing Trends in Clerk of Court Cases

Year	Criminal	Juvenile	Total Filings
1994	210	39	249
1995	189	40	229
1996	128	58	186
1997	155	34	189
1998	141	10	151
1999	160	36	196
2000	156	54	210
2001	132	39	171
2002	196	37	233
2003	149	22	171
2004	169	34	203
2005	171	38	209
2006	230	42	272
2007	N/A	N/A	N/A
Total Case Filings:	2,186	483	2,669

Figure 26
Total Clerk of Court Case Filings 1994- 2007 (AOPC)



Caseload Trend Analysis

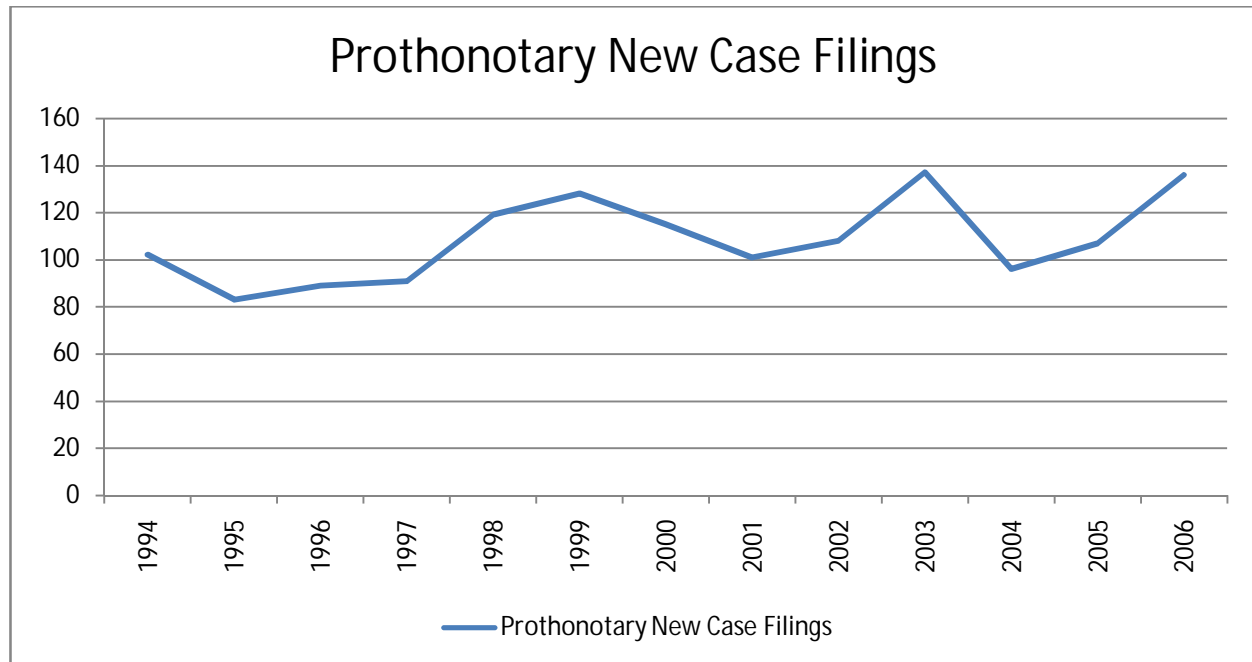
- Case filings in the Clerk of the Courts are primarily composed of Criminal Case Filings, Juvenile Delinquency, Juvenile Dependency, Abuse and Neglect and Child Custody.
- Clerk of the Courts case filings were only slightly higher in 2006, with 272 new filings, than in 1994 with 249 filings, a less than one percent increase.
- Case filings in the Clerk of the Courts Office dropped steadily from 1994 to 1998 from 249 cases to 151 cases respectively, a 65 percent decrease.
- Since 1998, case filings have remained around 200 cases annually, with a recent spike of 272 cases in 2006.
- It is important to note that case filings, since 2003 have increased by nearly 59 percent, indicating that the most recent years of growth in filings into the Clerk of Courts Office (Criminal and Juvenile) are again on the rise, but most likely not at the rate that was experienced in the mid and late 1990s.
- It should also be noted that the spike in 2001 corresponds directly to the opening of the central court.

Prothonotary

Table 45
Historical Case Filing Trends in the Prothonotary

Year	Civil	Divorce	Custody	PFA	Total New Filings
1994	9	64	29	Data for this time period unavailable	102
1995	15	48	20		83
1996	5	65	19		89
1997	7	51	33		91
1998	6	74	39		119
1999	6	80	30	6	128
2000	11	58	26	11	115
2001	4	54	26	4	101
2002	5	60	26	5	108
2003	9	73	40	9	137
2004	6	46	31	6	96
2005	1	51	38	1	107
2006	N/A	91	37	N/A	136
2007	N/A	N/A	N/A	N/A	N/A
Total Case Filings:	84	815	394	42	1,412

Figure 27
Total Prothonotary Case Filings 1994- 2005 (AOPC)



Prothonotary Case Filing Trend Analysis

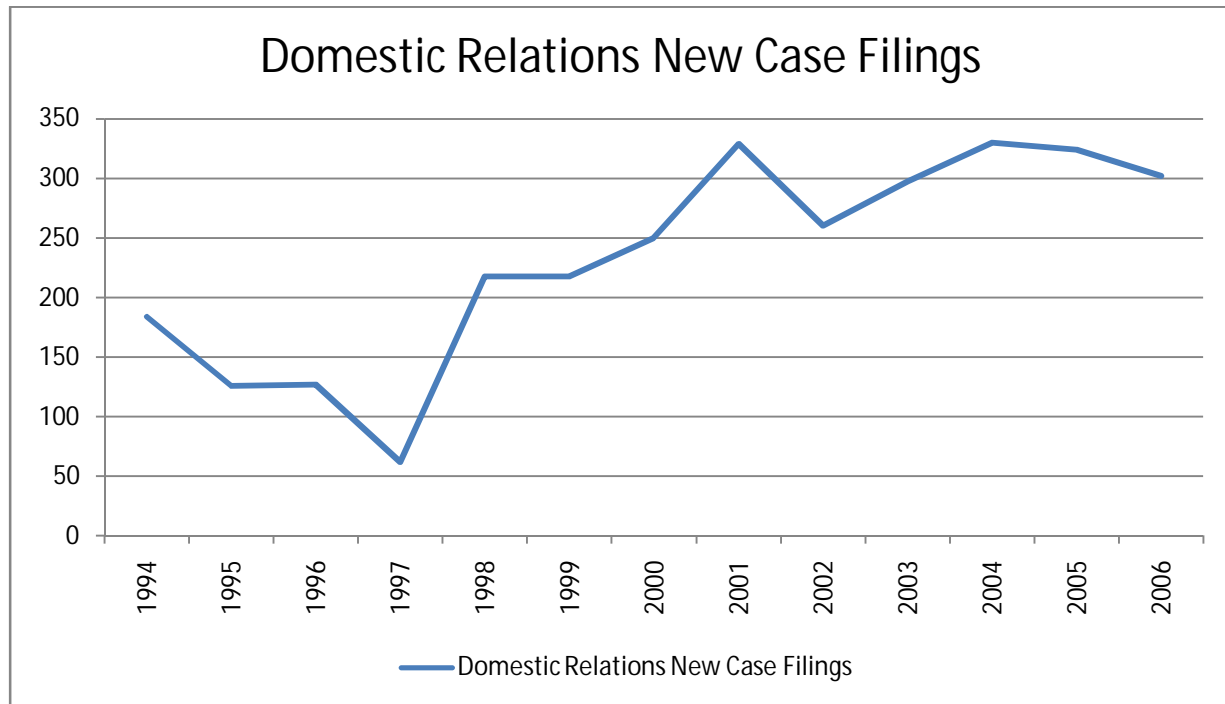
- It is acknowledged that the work done by the Prothonotary's Office goes beyond new case filings. Many cases re-open, do not close until the child is of age, many new modifications or review of cases, etc. all add to the workload of the Prothonotary Office's staff. In addition, the office handles many administrative functions, such as issuance of passports, writs, notary, etc. The case types examined in this study are Civil Complaints, Equity Cases, Divorce, Protection from Abuse and Child Custody.
- The new case filings going to the Prothonotary Office were historically steadily increasing from 1995 to 1999 with an annual case filing increase of 11 percent. Since 2000, cases have leveled off averaging between 100 and 130 cases annually but with little additional growth.

Domestic Relations

Table 46
Historical Case Filing Trends in Domestic Relations Cases

Year	New Spousal and Child Support Cases
1994	184
1995	126
1996	127
1997	62
1998	218
1999	218
2000	250
2001	329
2002	260
2003	297
2004	330
2005	324
2006	302
2007	N/A
Total Case Filings:	3,027

Figure 28
Historical Case Filing Trends in Domestic Relations Cases



Domestic Relations Filings

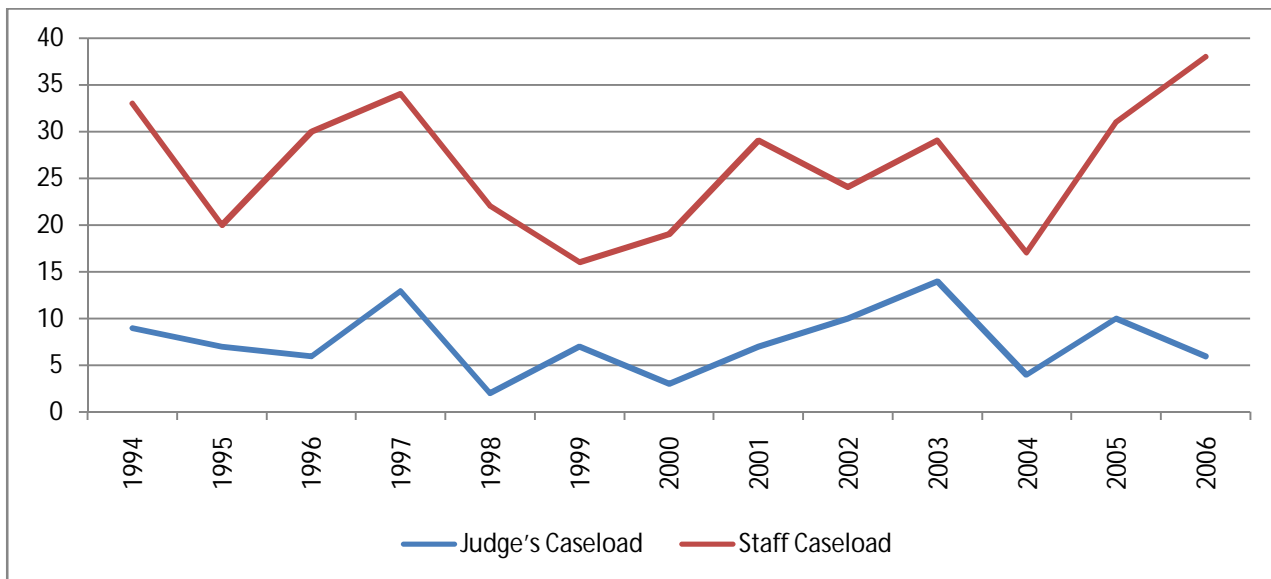
- Case filings in the Domestic Relations Office include Spousal Support Cases and Child Support Cases.
- New case filings in Domestic Relations decreased fairly steadily between 1994 and 1997 from 184 and 67 cases respectively. However, the numbers of case filings counted in 1997 are attributed to a change in the counting system.
- Between 1996 and 2001, case filings grew by over 159 percent from just over 127 cases to their highest of 329 cases annually.
- This more recent trend from 2002 forward has remained fairly constant with close to 300 cases annually.

Orphans' Court

Table 47
Historical Case Filing Trends in Orphans' Court Cases

Year	Judge's Caseload	Staff Caseload
1994	9	33
1995	7	20
1996	6	30
1997	13	34
1998	2	22
1999	7	16
2000	3	19
2001	7	29
2002	10	24
2003	14	29
2004	4	17
2005	10	31
2006	6	38
2007	N/A	N/A
Total Case Filings:	98	342

Figure 29
Historical Case Filing Trends in Orphans' Court Cases



Orphans' Court Caseload Trend Analysis

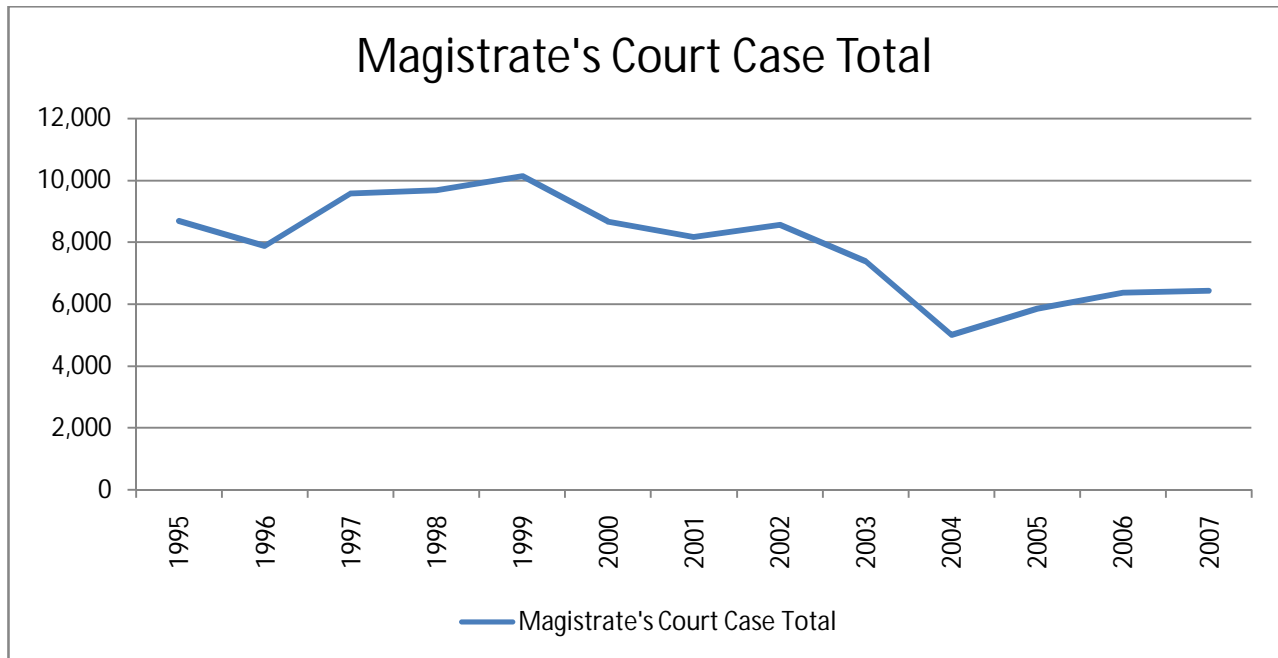
- Orphans' Court handles the processing of Adoptions and Guardianships.
- The total caseload (red line) of the Orphans' Court has just recently surpassed the 1997 historic high of 34 new filings with 38 new filings in 2006.
- New case filings for staff were at their lowest in 1994 with 16 new filings. The 2006 filings represent a 137 percent increase in 12 years.
- It is important to note that the caseload handled by the judges is different than the caseload of the clerks, due to many administrative functions that the clerks perform. Since 1994, the growth trend in the judiciary has been stable with as many as ten cases per year.

Magisterial District Court

Table 48
Historical Case Filing Trends in the Magisterial District Court

Year	Criminal	Private Criminal Complaint	Traffic	Non-Traffic	Civil	Landlord/Tenant	Total
1995	203	57	7,699	550	158	27	8,694
1996	159	64	6,830	611	201	24	7,889
1997	178	67	8,447	639	232	16	9,579
1998	189	86	8,690	514	182	23	9,684
1999	205	73	9,072	594	178	23	10,145
2000	179	68	7,639	627	156	11	8,680
2001	161	75	7,137	637	151	19	8,180
2002	213	60	7,624	459	181	22	8,559
2003	183	54	6,468	513	153	23	7,394
2004	177	47	4,058	490	206	20	4,998
2005	203	36	4,864	553	168	25	5,849
2006	258	37	5,201	664	177	35	6,372
2007	216	19	5,456	504	210	27	6,432
Total Case Filings:	2,524	743	89,185	7,355	2,353	295	102,455

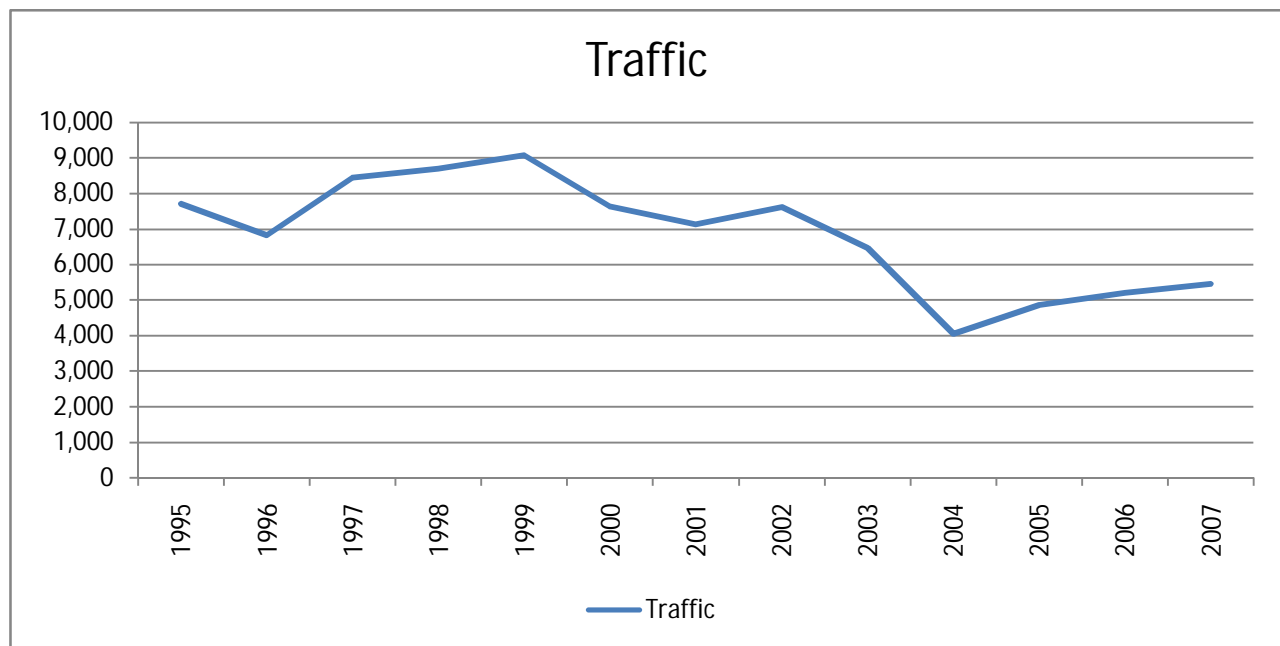
Figure 30
Historical Case Filing Trends in Magisterial District Court



Magisterial District Court Caseload Trend Analysis

- Note that this is the total for the three Magisterial District Courts in Fulton County.
- Also, while the District Court judges in Fulton County will not be re-located into the new facility in Chambersburg, it is important to understand the case filings effects of Fulton County on the various other court and county offices that are shared between the two counties. This case filing information is for discussion only and will not be used in final judicial staffing projections.
- Magistrate Court new filings trended downward from 1999 to 2007 with cases falling from 10,145 to 6,432 respectively, a state-wide drop of just over 57 percent.
- However, it is important to note, this substantial drop has occurred only in the Magistrate Court Traffic Filings that are from Fulton County. The two following graphs explain the individual growth trends of the specific case types.

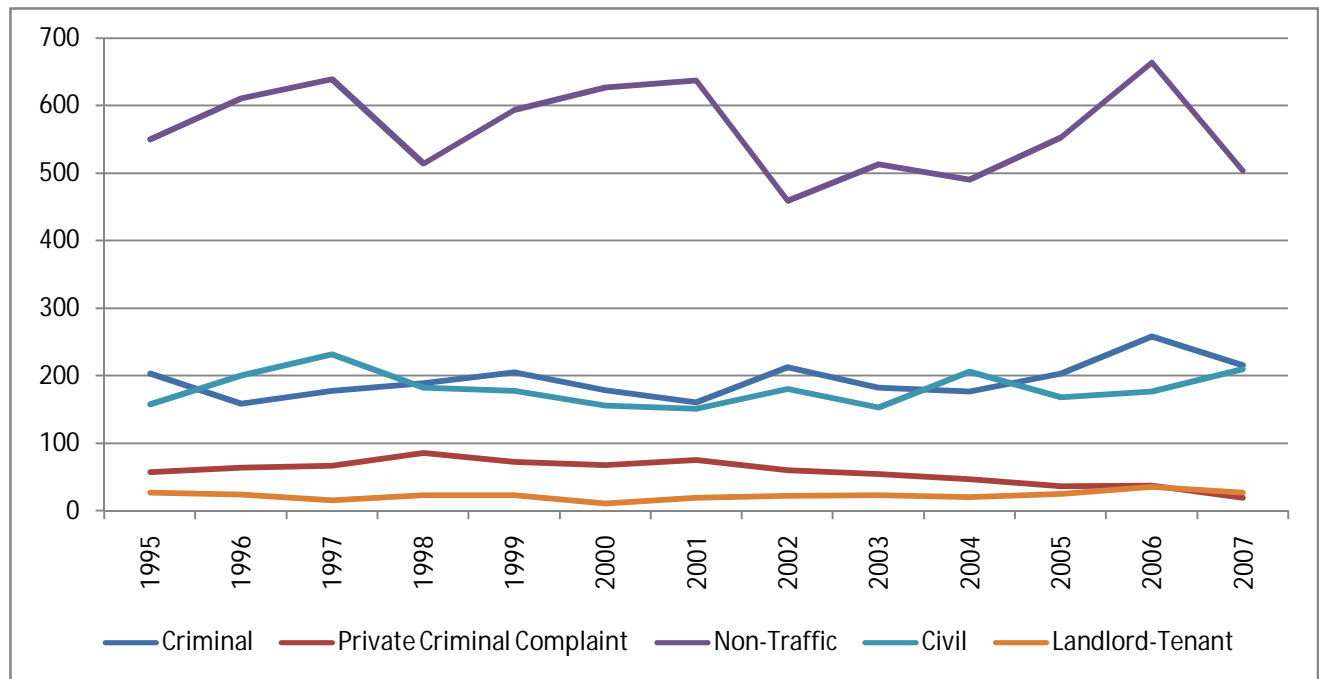
Figure 31
Historical Case Filing Trends in Magisterial District Court



Magisterial District Court Traffic Caseload Trend Analysis

- Traffic Cases originating from Fulton County have been on the decline since their peak in 1999 with just over 9,000 cases. Case filings dropped consistently until 2004 with just over 4,000 cases, a 55 percent decrease, or 9 percent annually.
- Recent trends see an increase in filings from 4,000 in 2004 to 5,400 in 2007, growth of about 35 percent, or 125 percent annual growth.

Figure 32
Historical Case Filing Trends in Magisterial District Court



Magisterial District Court All Other Caseload Trend Analysis

- The other five case types handled by the Magisterial District Court show a much steadier trend since 1995.
- Criminal Filings have fluctuated around 200 filings annually since 1995, with a peak of 258 in 2006, a more recent up-trend.
- Private Criminal Complaints have decreased from 86 filings in 1998 to 19 filings in 2007, a 78 percent decrease; however, historically case filings have remained at 60 to 80 case filings annually.
- Non-Traffic Filings have seen the most variance with as many as 664 cases in 2006 to 459 cases in 2002. Despite this most recent drop in 2007 of just over 500 cases, the downward trend is not likely to continue and case filings will most likely remain around 600 annually.
- Civil case filings have increased from 158 cases to 210 from 1995 to 2007 respectively, a total of 33 percent, or 2.5 percent annually.
- Landlord Tenant cases have remained constant with just under 30 cases between 1995 and 2007, with a small peak in 2006 with 35 cases.

G. Fulton County Population Analysis and Forecasts

Historical caseload data and patterns provide a baseline for projecting future caseload trends. Yet, caseloads--and ultimately the actual workloads--of courts are affected by population. Therefore, the next step in the process of formulating court caseload projections is an analysis of historical and projected Fulton County population data.

Historical County Population Data and Growth Trends

To estimate the population growth, the NCSC project team obtained and reviewed historical Fulton County population and demographic data from a number of sources. The team looked at historic population measured by the US Census Bureau, the Southern Alleghenies Planning and Development Commission, and the Pennsylvania State Data Center (located in Harrisburg). The following table shows the historic county population growth from 1994 to 2007.

Table 49
Fulton County Historical Population, 1994-2007

Year	Fulton County Population
1994	14,188
1995	14,219
1996	14,203
1995	14,340
1998	14,285
1999	14,317
2000	14,259
2001	14,196
2002	14,284
2003	14,445
2004	14,521
2005	14,589
2006	14,756
2007	14,939

Population trends can be good indicators of case filing trends; therefore, the NCSC project team reviewed the historical population trends and the projected trends issued by the Alleghenies Planning and Development Commission to determine the impact of population on case filing trends.

Future Population

The NCSC team looked at historic population as measured by the US Census Bureau and examined population projections for Fulton County by the US Census Bureau, Alleghenies Planning and Development Commission, and the Pennsylvania State Data Center (Harrisburg). The following tables project the Fulton County population to 2030 as assembled by the Alleghenies Planning and Development Commission:

Figure 33
Fulton County Historical and Projected Population

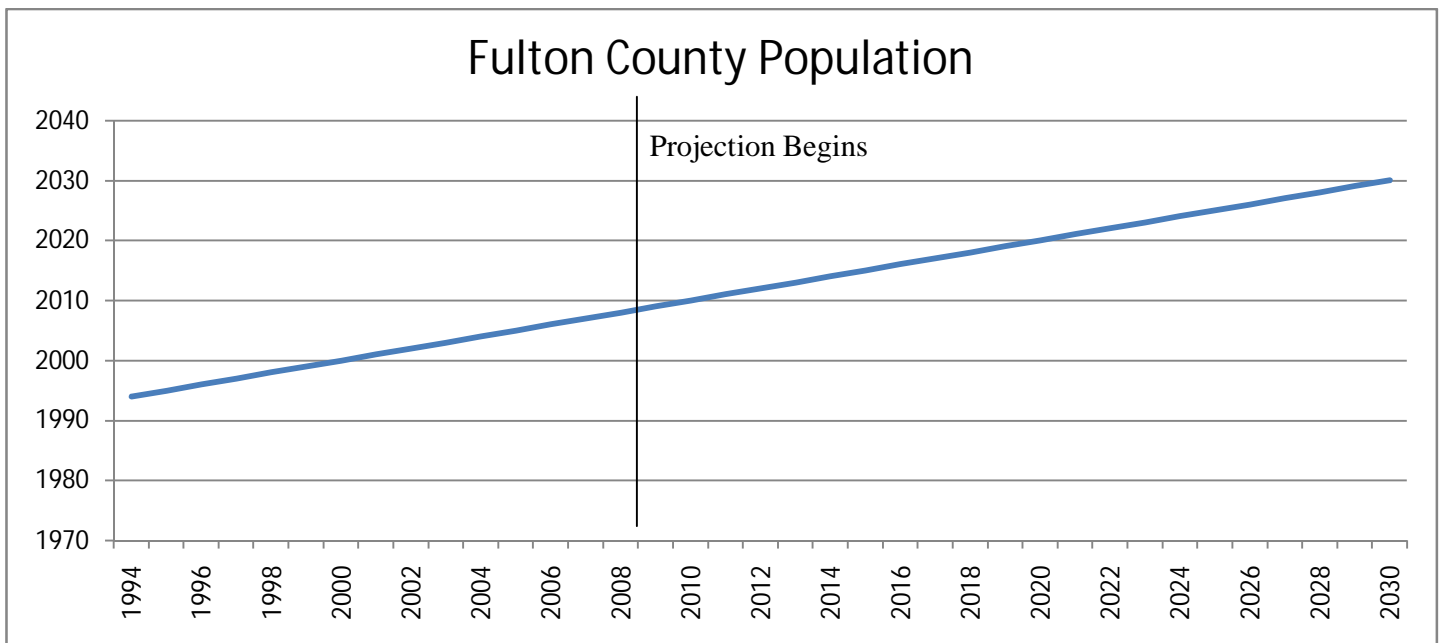


Table 50
Fulton County Population Projection, 2000-2030

Fulton County Projected Population Growth to 2030 Source: Southern Alleghenies Planning and Development Commission					
2000 actual 14,259	2010 projected 15,060	2015 15,240	2020 15,600	2025* 15,960	2030* 16,320
<i>annual growth rate</i>	0.53%	0.24%	0.46%	0.45%	0.44%
*SAP&DC projections were to 2020; in the absence of other official projections, our subsequent estimates project the SAP&DC's latest rate					

- Fulton County's population is estimated to grow 5.3 percent from 2000-2010, or 0.53 percent annually.
- After 2010, the Southern Alleghenies Planning and Development Commission anticipates slowing rates of growth, overall 3.6 percent from 2010 to 2020 and another 4.6 percent between 2020 and 2030.
- Annual rates of growth, shown in the bottom row of the table below, are currently about 0.53 percent and are anticipated to slow to about 0.44 percent through 2030.

Ratio of Cases to Population

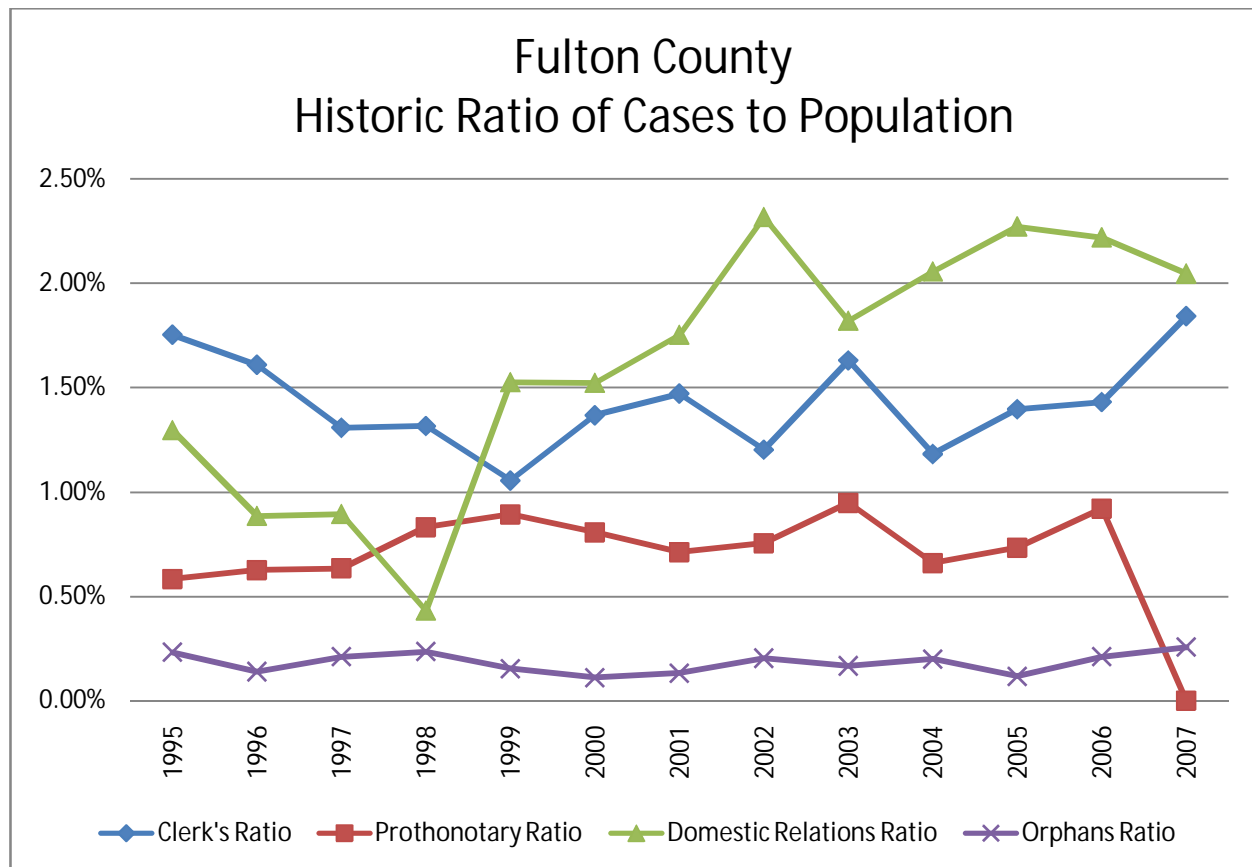
The ratio of cases to population is often helpful in assessing whether current trends may continue into the future, because it shows how closely changes in case filing follow changes in population growth. Stable trends in this ratio, for example, indicate a likelihood that such trends can be realistically expected to continue unless there is significant social or economic change for Fulton County, the ratio of cases to population for the Prothonotary, Orphans', and Domestic Relations Courts, is shown in the Table below.

Table 51

Fulton County Case Filings Ratio to Population, 1995-2007

Year	Clerk of Court	Prothonotary	Domestic Relations	Orphans'
1995	1.76%	0.58%	1.30%	0.23%
1996	1.61%	0.63%	0.89%	0.14%
1997	1.31%	0.63%	0.89%	0.21%
1998	1.32%	0.83%	0.43%	0.24%
1999	1.06%	0.89%	1.53%	0.15%
2000	1.37%	0.81%	1.52%	0.11%
2001	1.47%	0.71%	1.75%	0.13%
2002	1.20%	0.76%	2.32%	0.20%
2003	1.63%	0.95%	1.82%	0.17%
2004	1.18%	0.66%	2.06%	0.20%
2005	1.40%	0.73%	2.27%	0.12%
2006	1.43%	0.92%	2.22%	0.21%
2007	1.84%	n/a	2.05%	0.26%

Figure 34
Franklin County Case Filings Ratio to Population, 1995-2007



- Case filings being entered into the Prothonotary and Orphans' Court Clerks offices, historically vary less than one percent since 1995. Similarly, Clerk of Court ratios varied between one percent and 1.5 percent each year with stability.
- The little variance between the historical case filing trend lines and the ratio to population trend lines indicates that population is a good indicator of case filings. Because of this relationship, the NCSC project team decided to include a ratio to population projection methodology in projecting future filing trends.
- Domestic Relations, on the other hand has seen a significant rise in case filings to population since 1998. The trend has stabilized in recent years (2004-2007) but this case type will prove to be one of the faster growing case types in Fulton County.

H. Fulton County Case Filing Forecasts

As with Franklin County, the Fulton County case filings for the Clerk of Court, Prothonotary and Domestic Relations Offices growth trends were not steady for the entire time period reviewed, therefore, it is beneficial to look at different trends within the entire trend line. For these three divisions, it appears that the trends were different between 1994 and 2000 from those in 2000 to the present. Therefore, a projection focusing on the recent trend may be more accurate than one including all of the historical past. To find the best trend line, the NCSC project team developed four projection models.

- Historical annual rate of growth (total growth from 1994 to present, total percent growth divided by the number of years' data for each court).
- The second, Recent Rate of Growth (total percent growth divided by the number of years data available for historical trends dating back to 2000).
- The third, Recent Ratio of Cases to Population on the ratio of population to cases dating back to 2000. The method used here first calculated the ratio of filings to population for all available historic data, 1994/5 to 2007, as seen in the previous section. The average ratio for all years was calculated, as was the average ratio for the time period 1994 to 2007.
- The fourth, A Planning Average used when the previous three trends produce a boundary that appears to be too low or too high given the current case trends, the average between the two is used to provide a more realistic growth trend.

By using four methods, projections of future caseloads are created based on different assumptions about patterns of growth. The primary purpose of forecasting is to provide the most reasonable and realistic basis for estimating caseloads, and from that, judicial positions, staffing, and facility needs for Franklin County. Alternative trend analyses, projected into the future, assist in decision making by comparing possible scenarios using traditional, well-accepted forecasting methods. Bear in mind that regardless of the forecasting technique used, all projections become less reliable as they go farther into the future. There are simply too many unknown variables that may affect future caseloads and that cannot be estimated accurately (examples: radical population, changes caused by natural disasters, unexpected social or economic shifts, etc.) The objective is to produce comparative growth trends, and then to choose the projection that seems most likely to accurately predict the future. The four different trend lines for the court divisions are illustrated on the following pages.

In addition, looking at the trends in individual case types shows basically the same trends. There is no viable reason, then, to project each case type individually. Instead, the totals for each court type are projected. (One Clerk's Court case type rose in the most recent years, but such a short trend should never be assumed to continue into the far future.) Second, we have used the Fulton County population projections developed by the Southern Alleghenies Planning and Development Commission. These are more conservative estimates than those of the Penn State Data Center. We looked closely at the two methods used, however, and believe the SAP&DC projection is more accurate. Population is used in one of the projection methods only. The other two project simple case filing trends, one historical and one from the recent decade. Since Fulton County's case filing trends are generally downward, when projected, they tend to go far down or negative over time. Court cases will never go negative, of course, nor are they likely to go below some threshold, if population and other factors continue as normal.

Clerk of Court

Figure 35
Clerk of Court Historic and Projected Workload, 1994- 2030

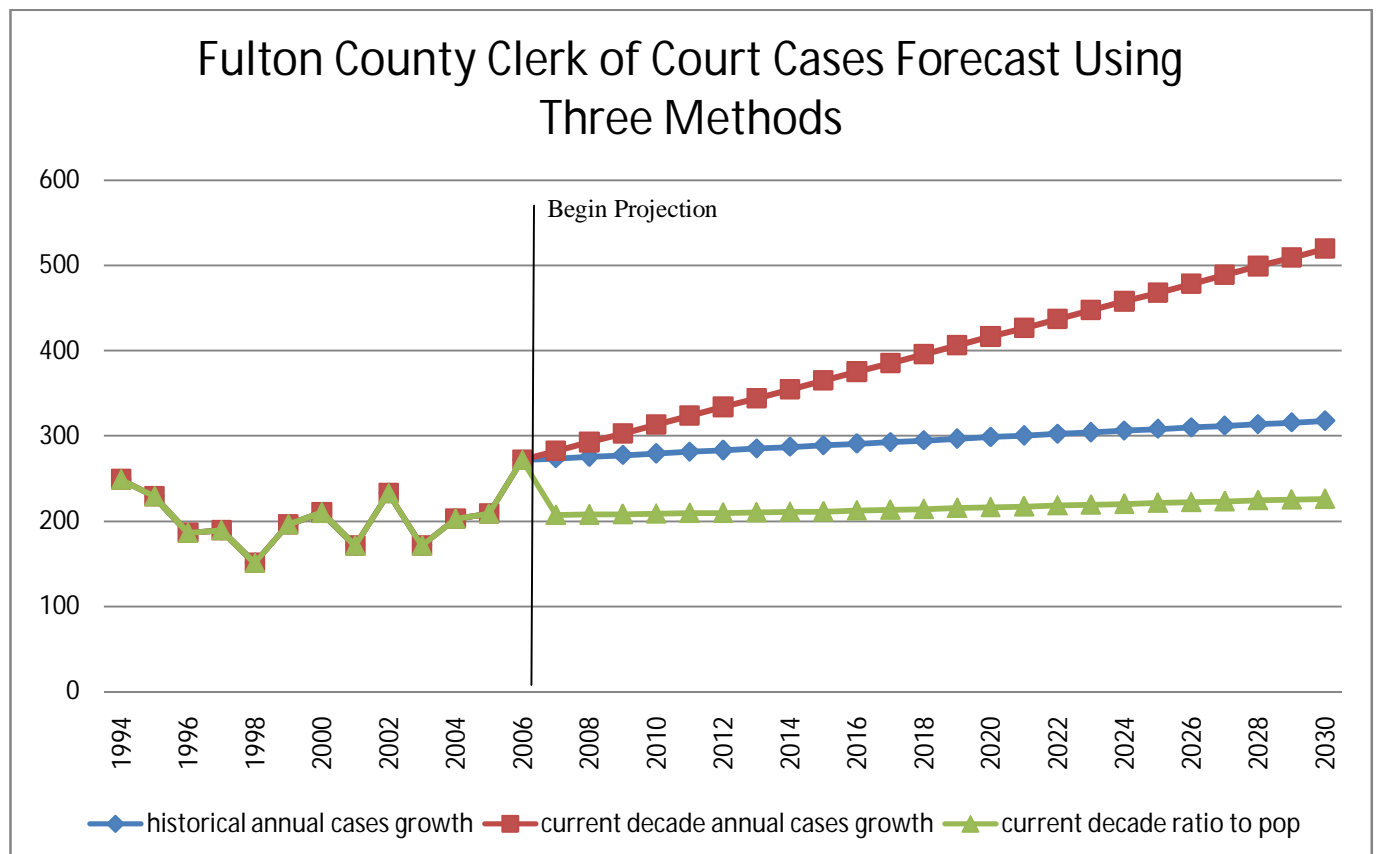


Table 52
Clerk of Court Case Filings Projection Summary

	<u>Current</u>	<u>2008</u>	<u>2013</u>	<u>2018</u>	<u>2023</u>	<u>2028</u>	<u>2030</u>
Historic Annual Growth Trend	272	276	285	295	305	314	318
Current Decade Annual Growth	272	293	344	396	448	449	520
Current Decade Ratio to Population	272	208	210	214	219	224	226
Planning Average		Not used in this projection					

- The Historic Annual Growth Trend projects a 17 percent growth from present to 2030, or 0.8 percent annual growth over the next 22 years.
- The Current Decade Annual Growth gives a much higher and unrealistic growth trend. Because case filings have had dramatic highs and lows in the last decade, this projection methodology inaccurately estimates that case filings will increase to over 500 cases annually, a nearly 91 percent increase from the current case filings
- The projection using the current decade (2000-2007) ratio to population drops then flattens over time, because lower population growth is expected over time than in the recent past. This method gives a negative growth from the present case filings.
- Given that the current case filing trend appears very steep and the ratio to population trend seems too shallow the most likely trend is probably in between the two projections. Therefore, the NCSC project team selected the Historic Annual Growth Trend with a projected growth of 17 percent.

Prothonotary

Figure 36
Prothonotary Historic and Projected Workload, 1994- 2030

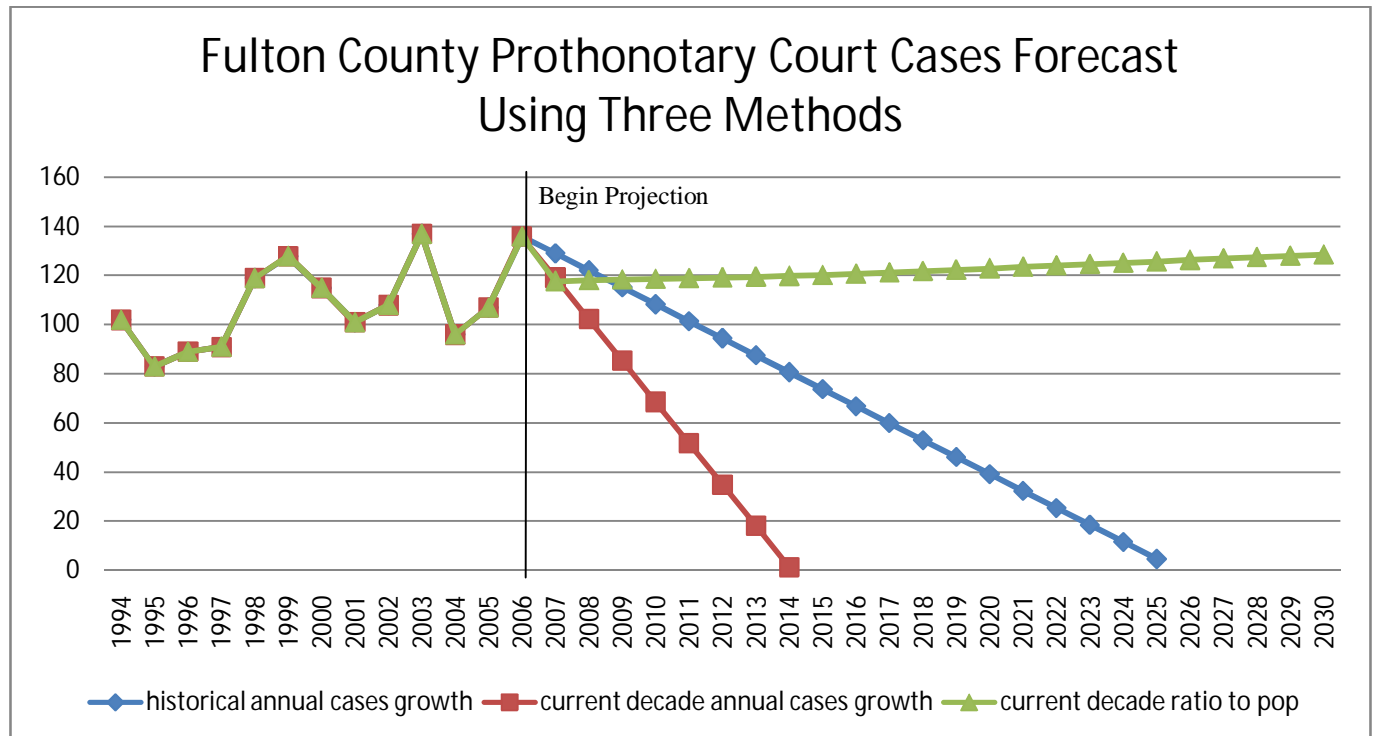


Table 53
Prothonotary Case Filings Projection Summary

	<u>Current</u>	<u>2008</u>	<u>2013</u>	<u>2018</u>	<u>2023</u>	<u>2028</u>	<u>2030</u>
Historic Annual Growth Trend	136	122	88	53	18	0	0
Current Decade Annual Growth	136	102	18	0	0	0	0
Current Decade Ratio to Population	136	118	120	122	125	128	129
Planning Average	Projection Not used						

- The Prothonotary Court has historically seen big jumps in filings, as well as seeing a relatively flat filing increase in the earliest part of the data set.
- Both the Historic Annual Growth (1994- 2007) and Current Decade Annual Growth (2000- 2007) trend lines indicate that case filings would decline to around 0 filings between 2018 and 2028 respectively. This is because the most recent trends in case filings have been decreasing and the estimated population rate of growth is also slowing. These two factors combined exponentially drop case filings until they reach zero.
- Projecting new filings in the Current Decade Ratio to Population, a rise to about 129 cases would be expected by 2030. While this is a drop from the current 136 cases. It is not

unusual to have the cases return to a level like those historically seen between 110 and 130 cases annually.

- The planning average was not used on this projection because when the three trends are averaged the case filings will still be estimated at reaching 0 filings by 2030.
- Because the estimate that is selected (the Current Decade Ratio to Population) projects case filing levels to remain the same, it is unlikely that there will be any need for additional staff than what was historically allocated to handel Fulton County Prothonotary caseload.

Domestic Relations

Figure 37
Domestic Relations Historic and Projected Workload, 1994- 2030

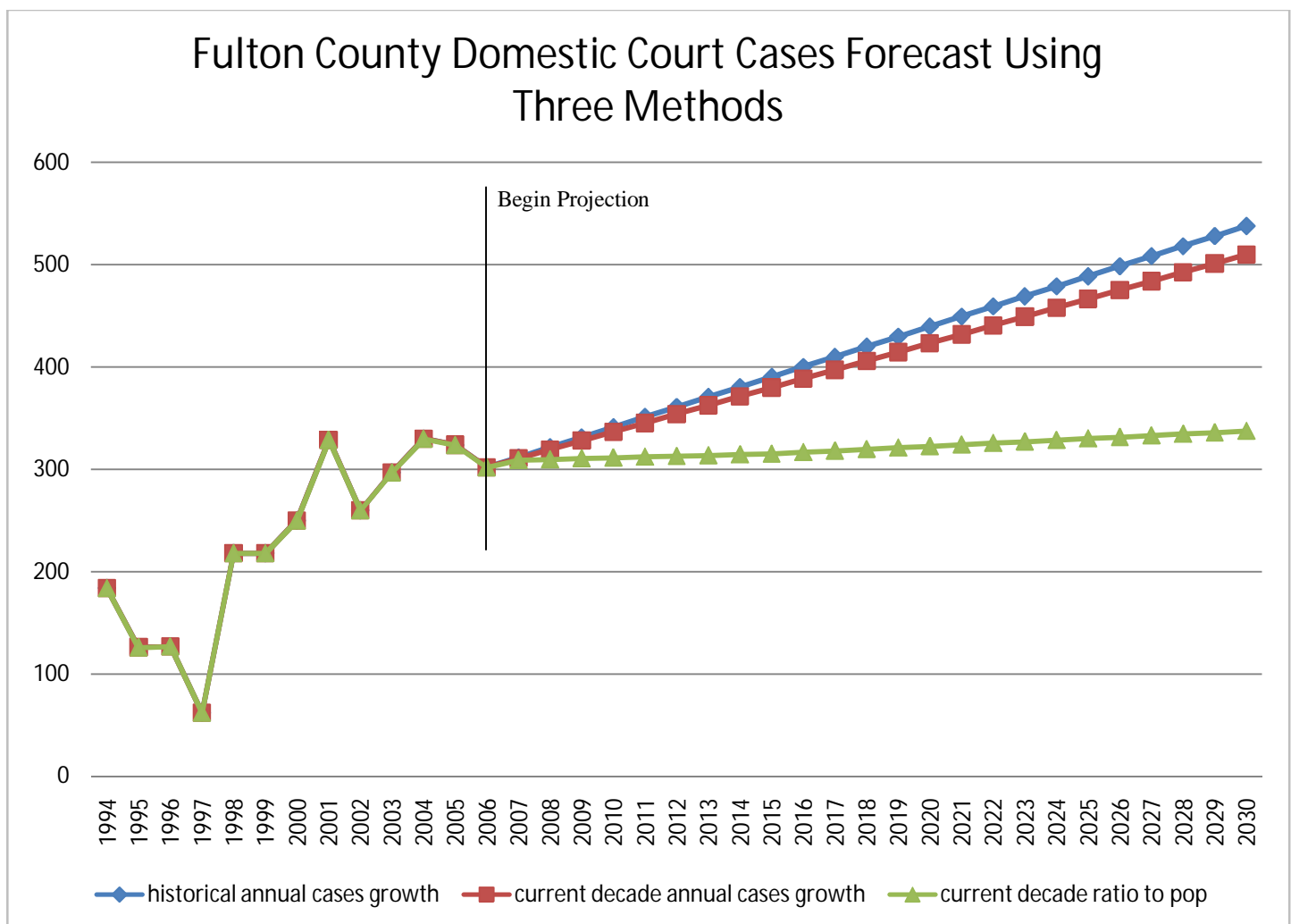


Table 54
Domestic Relations Case Filings Projection Summary

	Current	2008	2013	2018	2023	2028	2030
Historic Annual Growth Trend	302	322	371	420	469	518	538
Current Decade Annual Growth	302	319	363	406	449	493	510
Current Decade Ratio to Population	302	310	314	320	327	335	338
Planning Average		Not Used in this Analysis					

- The Historic Annual Growth Trend estimates case filings at 538 annually by 2030, a 78 percent increase. This trend, however, includes the unusual drop and sharp rise in case filings between 1996 and 1998. This unusual fluctuation in case filing growth undoubtedly disports the overall projection estimate.
- The Current Decade Annual Growth Trend estimates a rise in case filings to about 510 cases to be expected by 2030, a nearly 69 percent increase, or just over 3 percent annually.
- Using the Current Decade Ratio to Population Trend, case filings would be projected to reach only 338 cases annually, a 12 percent increase, or less than 1 percent annually.
- For Planning Purposes, the Current Decade Annual Growth Trend was agreed to be a more accurate representation of future case filing growth.

Orphans' Court

Figure 38
Orphans' Court Historic and Projected Judicial Workload, 1995- 2030

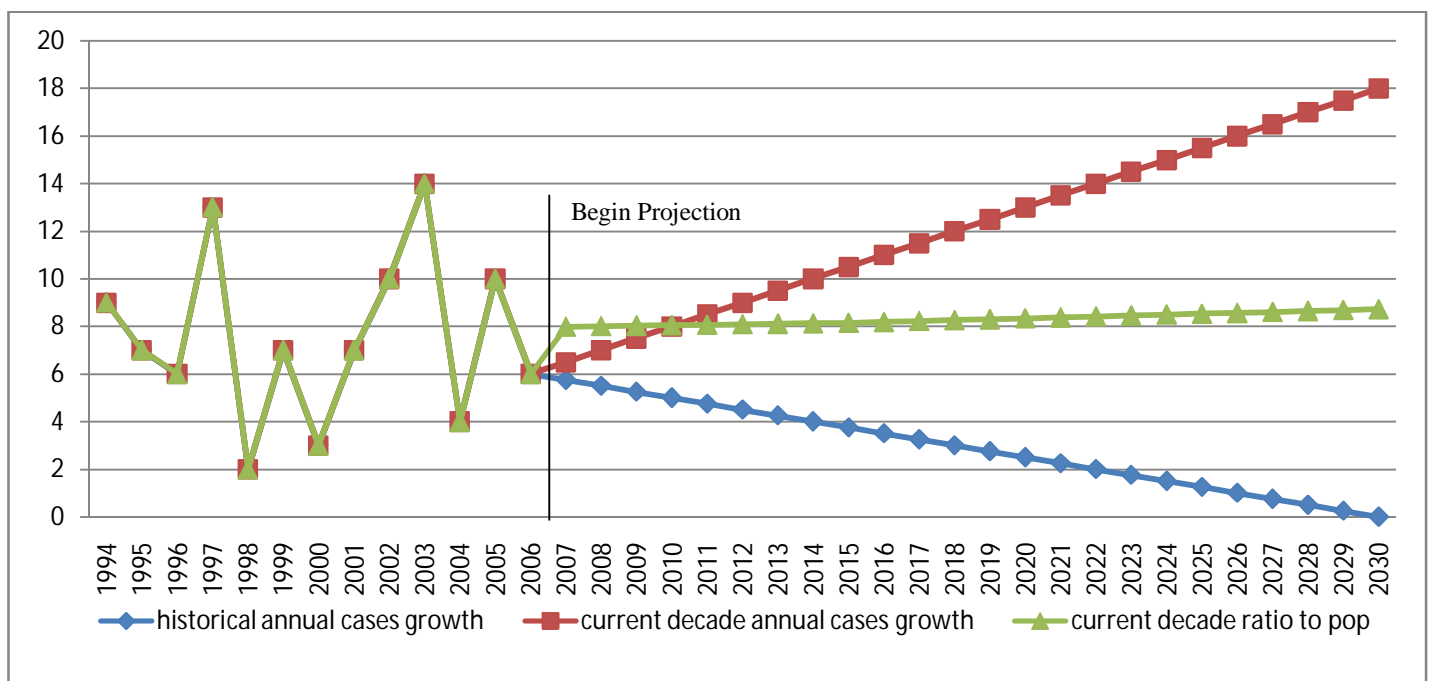


Table 55
Orphans' Court Judicial Case Filings Projection Summary

	<u>Current</u>	<u>2008</u>	<u>2013</u>	<u>2018</u>	<u>2023</u>	<u>2028</u>	<u>2030</u>
Historic Annual Growth Trend	6	6	4	3	2	1	0
Current Decade Annual Growth	6	7	10	12	15	17	18
Current Decade Ratio to Population	6	8	8	8	8	9	9
Planning Average		Not Used in this Analysis					

- It is important to note that not all case filings coming in to the Orphans' Court require judicial time, rather they are administrative functions. Therefore, the Orphans' Court projection has been broken out into two sections, judicial filings and staff filings.
- Adoptions and guardianships have historically shown both dramatic highs and lows. The same will probably hold for the future, with perhaps an increased rate for guardianships as the population ages.
- Using the Historic Annual Growth Trend, it is projected that new cases will fall from six to zero before 2030.
- The Current Decade Annual Growth projects the case filings historic highs and discounts the lows to make an overly inflated growth of 200 percent.
- Because case filings have historically varied from as few as two to as many as 14, the Current Decade Ratio to Population estimates suggests a flattened trend line, closely related to the current number of cases handled by judges. The trend line assumes as many as nine filings per year by 2030, a 50 percent increase from present.

Figure 39
Orphans' Court Historic and Projected Staff Workload, 1995- 2030

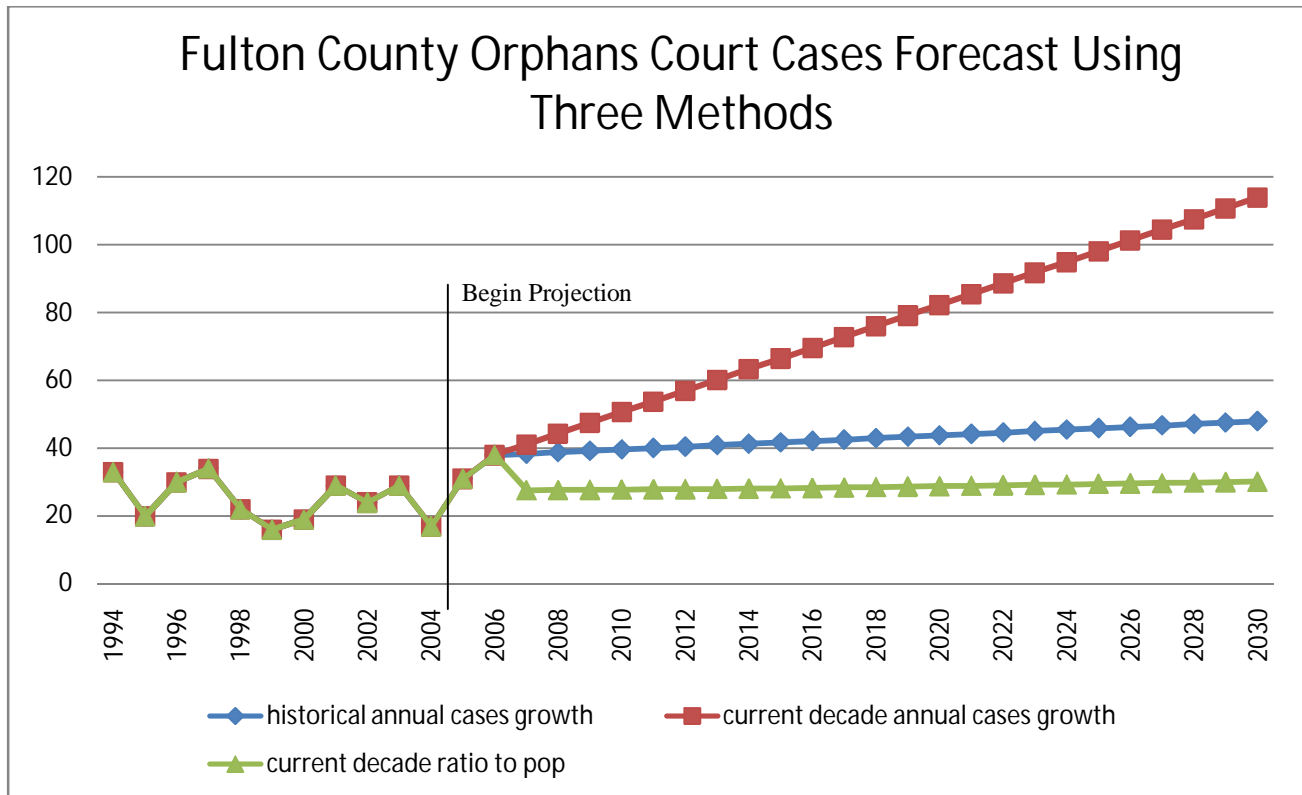


Table 56
Orphans' Court Staff Case Filings Projection Summary

	Current	2008	2013	2018	2023	2028	2030
Historic Annual Growth Trend	38	39	41	43	45	47	48
Current Decade Annual Growth	38	44	60	76	92	108	114
Current Decade Ratio to Population	38	28	28	29	29	30	30
Planning Average		Not Used in this Analysis					

- The Historic Annual Growth Trend projections that new case filings for administrative staff will increase from 38 cases to just under 50 case filing sin 2030, a 26 percent total increase, or 1.2 percent annual increase.
- Current Decade Annual Growth projections calculate 200 percent growth from present to 2030, with 114 cases in 2030. This growth trend is primarily looking at cases filed from year 2000, with 19 cases to year 2007 with 38 cases, a 100 percent increase in seven years and projects that growth trend out in correlation to a slowing population. This overly inflated estimate does not seem reasonable as case filings have fluctuated downward between 2000 and 2005 and just recently hit a historic high in 2006.

- The Current Decade Ratio to Population Trends yields a negative growth in correspondence to the drop in cases seen from 2001 to 2005. Because there is one of the lowest recorded years of filings in this set, the projection overly accounts for this decline and continues to maintain a low ratio to population and a flat growth trend.
- It was understood that the historic practices and case filing compositions are more likely to continue into the future and to maintain a consistent methodology throughout the projections, it was determined to use the Historic Annual Growth of 26 percent to determine the Orphans' Court growth for Fulton County.

Magisterial District Court

Figure 40
Magisterial District Court Historic and Projected Workload, 1995- 2030

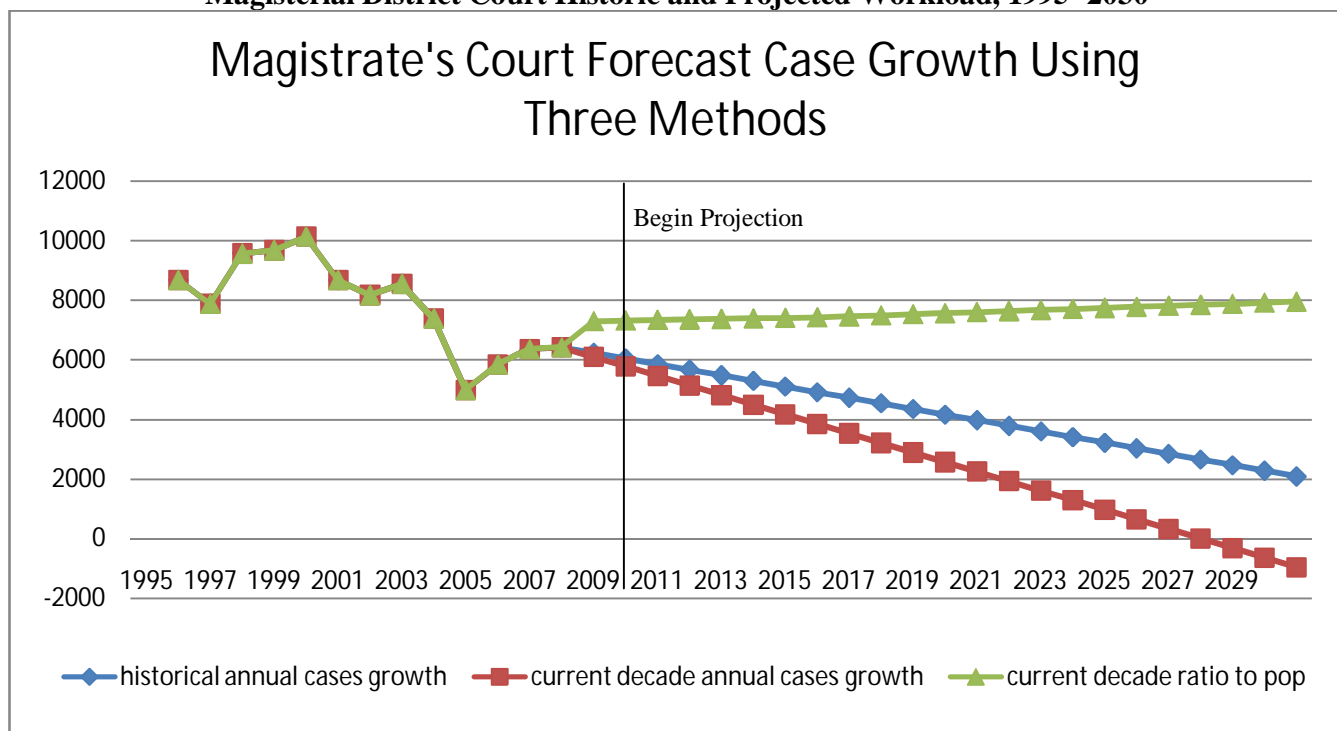


Table 57
Magisterial District Court Case Filings Projection Summary

	Current	2008	2013	2018	2023	2028	2030
Historic Annual Growth Trend	6432	6244	5301	4359	3416	2474	2097
Current Decade Annual Growth	6432	6111	4505	2899	1294	0	0
Current Decade Ratio to Population	6432	7309	7401	7542	7717	7893	7963
Planning Average		Not Used in this Analysis					

- As previously noted, the Magisterial District Courts of Fulton County will not be included in this master plan. This projection is done solely for discussion on the possible

future impact Fulton County may have on the shared services provided by the various court and county offices.

- The Magisterial District Court had seen decreasing filings from 1999 to 2007 from 10,145 cases to 4,998 cases, a 51 percent drop, followed by a sharp increase in filings from 2003-2006 with cases growing to 6,432, an increase of 29 percent.
- Because a projection cannot be made on just three years of historical data, the NCSC project team used the same three projection methods it used for the other divisions, so the current decade case growth and current decade ratio to population are based on data from 2000 to the present.
- For Planning Purposes, the Current Decade Annual Growth Trend was agreed to be a more accurate representation of future case filing growth.
- It is projected that case-filings statewide could increase from 6,432 cases presently to 7,963 cases in 2030. This represents a total increase in filings of nearly 24 percent, or 1.1 percent annually.

The following table summarizes the projected case filing trends in five year increments for all court divisions.

Table 58
Total Fulton County Court Case Filings Projection Summary

FULTON COUNTY PROJECTED CASELOAD TO 2030							
	Projected Population	Clerk of Court	Prothonotary	Domestic Relations	Magisterial District Courts	Orphans' Court Judges Caseload	Orphans' Court Staff Caseload
Current	14,939	272	136	302	6,432	6	38
2008	14,979	276	118	319	7,309	8	39
2013	15,168	285	120	363	7,401	8	41
2018	15,456	295	122	406	7,542	8	43
2023	15,816	305	125	449	7,717	8	45
2028	16,176	314	128	493	7,893	9	47
2030	16,320	318	129	510	7,963	9	48
Total Growth		17%	-5%	69%	24%	50%	26%
Annual Growth		0.8%	0%	3%	1.1%	2.3%	1.2%

*Note, though the case filings that are handled by the Prothonotary state a negative growth from present, the current year is considered to be an unusual high point. Beginning in 2008, the case filings are shown as steady growth of 9% over 22 years, however this growth will not increase case filings beyond their current point and should therefore have little impact on increasing staff needs.

Combining Selected Case Filing Totals for Franklin and Fulton Counties

Because the Court of Common Pleas and associated offices in this project are considered to be a two county system, the annual growth trends of both Franklin and Fulton Counties must be considered. Below is a summary table of the selected Franklin and Fulton County case filing projections and historic base filings. The combined estimated growth rates of these two counties will be used as the base in projecting the associated staffing requirements.

Table 59A
Total Franklin and Fulton County Court Case Filings Projection Summary

FRANKLIN and FULTON COUNTY PROJECTED CASELOAD TO 2030							
	Projected Population	Clerk of Court	Prothonotary	Domestic Relations	Magisterial District Court	Orphans' Court Judges Caseload	Orphans' Court Staff Caseload
2008	157,756	3,109	1,182	4,150	27,461	380	1,354
2013	164,068	3,438	1,289	4,521	29,295	431	1,459
2018	170,856	3,771	1,398	4,891	31,129	482	1,565
2023	177,416	4,101	1,507	5,261	32,963	532	1,670
2028	183,776	4,429	1,615	5,633	34,796	584	1,776
2030	186,320	4,560	1,658	5,781	35,530	604	1,818
Total Growth		46.7	40%	39%	30%	60%	34%
Annual Growth		2.1%	1.8%	2%	1.4%	2.7%	1.5%

The following table represents the percentage make up of Franklin County case filings and Fulton County case filings. This percentage can be used to understand the number of staff required by each county to handle the caseload produced in each division.

Table 59B
Percentage of Population and Case Filings by County

	Projected Population		Clerk of Court		Prothonotary		Domestic Relations		Orphans' Court Judges Caseload		Orphans' Court Staff Caseload	
	Franklin	Fulton	Franklin	Fulton	Franklin	Fulton	Franklin	Fulton	Franklin	Fulton	Franklin	Fulton
2008	90.50%	9.50%	91.12%	8.88%	90.02%	9.98%	92.31%	7.69%	97.89%	2.11%	97.12%	2.88%
2013	90.76%	9.24%	91.71%	8.29%	90.69%	9.31%	91.97%	8.03%	98.14%	1.86%	97.19%	2.81%
2018	90.95%	9.05%	92.18%	7.82%	91.27%	8.73%	91.70%	8.30%	98.34%	1.66%	97.25%	2.75%
2023	91.09%	8.91%	92.56%	7.44%	91.71%	8.29%	91.47%	8.53%	98.50%	1.50%	97.31%	2.69%
2028	91.20%	8.80%	92.91%	7.09%	92.07%	7.93%	91.25%	8.75%	98.46%	1.54%	97.35%	2.65%
2030	91.24%	8.76%	93.03%	6.97%	92.22%	7.78%	91.18%	8.82%	98.51%	1.49%	97.36%	2.64%

- It can be understood that Franklin County will be growing faster than Fulton County. In 2008, 90.5 percent of the two Counties' population will be housed in Franklin County, where only 9.5 percent will be from Fulton County. By 2030, 91.2 percent of the two counties' population will be from Franklin and 8.76 percent will be from Fulton.
- This understanding lends itself to the conclusion that Franklin County will remain the driving force for most of the case filing and county growth that are based on the two counties' populations.
- It is important to note that Domestic Relations cases originating in Fulton County are growing faster than those in Franklin County. Fulton County is expected to have just fewer than eight percent of total case filings in 2008 and will grow to nearly nine percent by 2030. In supplement, Franklin County will drop from 92.3 percent of all cases in 2008 to 91.1 percent by 2030.
- Both the Clerk of Court and Prothonotary Offices will see Franklin County contributing more case filings than Fulton County by 2030 with growth from 91 percent to 93 percent and 90 percent to 92 percent respectively.
- The caseload for the Orphans' Court staff is expected to maintain the same ratios as are currently seen. The judge's workload for Fulton County is expected to drop from 2.11 percent of all cases to 1.49 percent, where Franklin County will increase from just under 98 percent to nearly 99 percent of all cases in the two counties.

I. Staffing Projections for the Franklin County Court

Once the two county population and court caseload projections are made, they can be used to develop staffing projections. This section of the master plan contains staffing projections for the next 20 years for the Franklin County Court of Common Pleas and various court-related and county-related offices.

Staffing projections are to be used solely for long-range planning purposes, as they are estimates of the *likely* needs that might be expected over the planning time span, based largely upon historical trends and qualitative assessments of the future. These estimates should not be construed as being the sole justification for funding additional staff positions. It is assumed that before any personnel or staff are added to any court or court-related office, whether they are judges, clerks, or administrative personnel, a thorough staffing analysis will be done by the Court and County and that staff will be added only if the additional positions can be justified.

It is important to recognize that NCSC's prognosis about judicial officer, court and county staff position growth is largely based on current realities and business practices. In other words, judgments as to whether a court is understaffed or overstaffed are not made; rather, it is presumed that the existing workforce has been scrutinized over many years through the politics of the court's budgetary process. Quantitative case filing projections and qualitative planning elements are then synthesized to assist in projecting future staffing requirements for each office in this study. The projections consider current staff workload and future office workload increases with the assumption that the current staff has reached their full workload capacity. Resultantly, the projected staffing growth will increase in proportion to the workload increase.

Quantitative analysis translates the workload increase, because of the case filing increase and population, into equivalent staffing needs. The resulting staffing needs are then adjusted to reflect qualitative considerations and input from each user group through interviews, the NCSC Court Facility Planning and Needs Assessment Questionnaire, and project consultants' experiences.

One of the qualitative planning elements used to determine the needs of the Franklin County facility is the number of employees required to support the judiciary and county offices to the year 2030. Each organizational component of the court and county which are involved in this facilities project has estimated its staff requirements, providing the primary, but not necessarily the sole basis for the projection. The Court of Common Pleas and the court-related offices' staffing projections combine the qualitative measurement provided by the survey questionnaire with the annual increased projection of the case filing trends discussed in the previous section. On the other hand, county-

specific offices that do not rely on the court processes use the estimated county population annual increase in combination with their survey estimates to create the projected staffing needs. It is important to note that future efficiencies through business practices or technologies will have an impact on the future staffing needs. Several of the new emerging technologies and best practice theories are summarized later in the report. The staffing projections that follow give the possible growth experienced by the county under the current conditions and practices, future efficiencies will need to be studied on a case by case basis to determine the individual effect on the required staffing.

Common Pleas' Court Judges

Table 60
Estimated Number of Court Judges

Year	NCSC Projections		
	Total Case Filings	Percent Change (From 2010)	Judicial Officer Need (President and Regular Judges)
2006	8,143		4
2007	8,327		4
2008	8,821		4
2009	8,991		4*
2010	9,161		5**
2011	9,334	1.88%	
2012	9,506	3.77%	
2013	9,679	5.65%	5
2014	9,851	7.53%	
2015	10,024	9.42%	
2016	10,196	11.30%	
2017	10,369	13.19%	
2018	10,542	15.07%	5
2019	10,715	16.96%	
2020	10,888	18.85%	
2021	11,059	20.72%	
2022	11,231	22.59%	
2023	11,402	24.46%	6
2024	11,574	26.33%	
2025	11,745	28.21%	
2026	11,917	30.08%	
2027	12,088	31.95%	
2028	12,260	33.82%	7
2029	12,431	35.69%	
2030	12,602	37.56%	7

* The president judge retired January 2, 2009 and is serving as a part-time Senior Judge, leaving 3 full-time judges.

** The new judge position, the fifth judge, was approved in 2008 with the election for both the new position and the position vacated by retirement to occur in 2009 with seating in January 2010. Refer to Appendix E

Comment

- Corresponding to the projected judicial caseload increase of nearly 38 percent between 2010 when the fifth judge is expected to be seated and 2030, it is estimated that the judicial FTE will increase from four in 2008 and five in 2010 to seven FTE by the year 2030.
- The actual four FTE and estimated seven FTE for judicial staffing include positions for both Franklin and Fulton County workloads.
- In addition to reviewing the projected caseload to 2030, the NCSC project team reviewed historic judgeship to case filing and population ratios from 1994 to present in Franklin and Fulton Counties:

Table 61
Historic and Projected County Population and Case Filing Ratio to Judgeships
1994-2030

	Year	Judgeships	Case Filings	County population	Judgship to cases ratio	Judgship to Population ratio
<i>Historic</i>	1994	3	5,019	138,597	1,673	46,199
	1995	3	5,256	139,474	1,752	46,491
	1996	3	5,230	140,310	1,743	46,770
	1997	3	5,409	141,304	1,803	47,101
	1998	4	5,727	142,113	1,432	35,528
	1999	4	6,860	143,129	1,715	35,782
	2000	4	7,422	143,572	1,856	35,893
	2001	4	7,477	144,375	1,869	36,094
	2002	4	7,456	145,576	1,864	36,394
	2003	4	7,644	146,913	1,911	36,728
	2004	4	7,680	148,823	1,920	37,206
	2005	4	8,071	151,617	2,018	37,904
	2006	4	8,143	154,441	2,036	38,610
	2007	4	8,327	156,604	2,082	39,151
<i>projection</i>	2010	5	9,161	160,060	1,832	32,012
	2013	5	9,679	164,068	1,936	32,814
	2018	6	10,542	170,856	1,757	28,476
	2023	6	11,402	177,416	1,900	29,569
	2028	7	12,260	183,776	1,751	26,254
	2030	7	12,602	186,320	1,800	26,617
				historic average	1,834	39,704
				projected average	1,830	29,290

*A full look of judgeships to county population from 1966 to 2030, see Appendix D

- Historically, judgeships typically have had a ratio to case filings ranging from 1,600 cases to just over 1,900 case filings per judge.
- Typically, when the case filing ratio reaches between 1,800 and 2,000 cases a new judgeship has been approved.
 - Between 1997 and 1998 – 1,803 cases per judge
 - Between 2007 and 2010 – 2,082 cases per judge

- This trend has been extrapolated to 2030 showing that judgeships should be added along those same premises.
 - Between 2013 and 2018 – 6th judge should be allocated
 - Between 2023 and 2028 – 7th judge should be allocated
- It is important to note that the historic trend of judgeships to population has been decreasing while caseloads have been increasing. This shows that case complexity and the number of cases per population has been historically increasing and that judicial positions should not solely be based on county population growth.
- For additional comparison, the NCSC project team reviewed the judgeship allocation for neighboring counties in Pennsylvania that had a similar population and case filing demographics:

Table 62
Surrounding County Comparison

Current

County	Population		Trial Court Judges	Ratio of Judges to population
	2000	2007		
Franklin- Fulton	143,574	155,640	4	38,910
Cambria	152,598	144,995	5	28,999
Centre	135,758	144,658	4	36,165
Fayette	148,644	144,556	5	28,911
Monroe	138,687	164,722	6	27,454

2030 Projected

County	Population		Trial Court Judges	Ratio of Judges to population
	2000	Projected 2030		
Franklin- Fulton	186,320	186,320	7	26,617
		Current 2007		
Beaver	181,412	173,074	7	24,725
Butler	174,083	181,934	6	30,322
Schuylkill	150,336	147,269	6	24,545

- The 39th Judicial District has kept pace with the surrounding counties that share similar demographics.
- The first table shows the current status of Franklin and Fulton Counties as compared to their like counties with judgeships ranging from four to six for a similar population and caseload.

- The second table compares counties that currently have a population at or near the projected Franklin and Fulton Counties population in 2030. Here again, the Judicial District is estimated to be in line with counties currently facing the projected population and workload of Franklin and Fulton Counties.
- This comparative analysis, along with the projected caseload to 2030, provides sufficient guidance on how best to project and allocate the future need for judicial staffing.

Table 63
Estimated Number of Court Judges

	CURRENT	PROJECTED				
	<u>2008 FTE</u>	<u>2013 FTE</u>	<u>2018 FTE</u>	<u>2023 FTE</u>	<u>2028 FTE</u>	<u>2030 FTE</u>
President Judge	1	1	1	1	1	1
Judge	3	4	5	5	6	6
Total FTE:	4	5	6	6	7	7

Comment

- There are no standards or pre-established criteria for the Pennsylvania General Assembly to create and fund additional judicial positions for state courts of common pleas. As a result, accurately predicting the number of judges needed and authorized in the future is a difficult task. A number of factors can be considered when assessing the need for additional judges. The NCSC's projections are based on projected increases in county population and case filings. In addition, the NCSC project team incorporates information obtained from project interviews and from projections offered by respondents to the Court Facility Planning and Needs Assessment Questionnaire. The actual number of judges serving the Franklin County Court of Common Pleas in the future will most certainly be determined by more complex, local and statewide judicial workload analyses, considering a variety of criteria.
- The current (2008) numbers reflect the actual number of judges who have been seated for the Franklin County Court of Common Pleas (4). Judgeship projections here assume that there is a correlation between county population and court caseload growth and the number of judges needed by the court. The projected increase in the number of judges is consistent with the growth projections produced previously in this master plan.
- The projected judicial FTE includes the possible required staff to effectively handle both Franklin and Fulton County caseloads under the current practices and available technologies. Future technologies for consideration to improve efficiencies and streamline processes are discussed in the following section. It is important to note that while these technologies may increase judicial efficiency in handling caseload, not all technologies introduced will immediately reduce or limit staff growth.

Judicial Support and Court Administration

Table 64
Current and Projected Staffing Estimate

	CURRENT	PROJECTED				
	2008 FTE	2013 FTE	2018 FTE	2023 FTE	2028 FTE	2030 FTE
Judge	4	5	6	6	7	7
Judge's Secretary	4	5	6	6	7	7
Judge's Law Clerk	4	5	6	6	7	7
Judge's Court Reporter	4	5	6	6	7	7
Court Crier	4	5	6	6	7	7
Tipstaff	8	10	12	12	14	14
Court Administrator	1	1	1	1	1	1
Deputy Court Administrator	1	1	1	2	2	2
Central Court Coordinator	1	1	2	2	2	2
Administrative Assistant	1	2	2	2	2	2
Secretary	2	2	2	3	3	3
Interpreter	1	1	1	1	1	1
Juvenile Court Master	.5	.5	.5	.5	.5	.75
Juvenile Court Master Secretary	0*	.25	.25	.25	.25	.25
Divorce Master	1	1	1	1	1	1
Divorce Master Secretary	.25	.25	.25	.25	.25	.5
Jury Commissioner	2	2	2	2	2	2
Court Administrative Assistant	0*	1	1	1	1	1
Central Court Floater	0*	1	1	1	1	1
Total FTE:	38.75	49	57	59	66	66.5
<i>Total FTE Less Judges</i>	<i>34.75</i>	<i>44</i>	<i>51</i>	<i>53</i>	<i>59</i>	<i>59.5</i>

* Proposed new position

Comment

- State legislation, pending at the time of the data collection, would authorize a fifth judge in Franklin County in 2010. This judgeship and corresponding staffing are used as the basis for projected staffing needs.
- One judicial assistant, two tipstaff, one law clerk, one court reporter and one court crier provide necessary support services to each judge. The projected additions of judges to the court will result in corresponding additions of secretaries, tipstaff, law clerks and court crier to the court's judicial support staff.
- The future addition of a part-time juvenile court master secretary has been included to support the growing juvenile caseload handled by the Juvenile Court. Juvenile cases historically have grown 46 percent in since year 2000, but are expected to grow much slower, due to the aging population, by 10 percent over the next 22 years, or 0.5 percent annually.

Magisterial District Court

Table 65
Current and Projected Staffing Estimate

	CURRENT	PROJECTED				
	2008 FTE	2013 FTE	2018 FTE	2023 FTE	2028 FTE	2030 FTE
Magistrate Judge	1	1	1	1	1	1
Administrator	1	1	1	1	1	1
Secretary/ Clerk	3	3	3	3.5	4	4
Constable	3	3	3	3	3	3
Total FTE:	5	5	5	5.5	6	6

Comment

- Shifts in population as determined by the census of 1990 then again in 2000 have resulted in changes in geographical boundaries, caseloads and the number of office staff. Ever changing caseload numbers depending on uncontrollable and unpredictable patterns involving criminal, civil, and traffic laws greatly affect the overall workload in this office.
- With increasing populations and caseloads, the need for additional office space and parking places for staff and users of the court will be a major issue.
- The estimated 33 percent growth expected to occur in the county is reflected in the increased need for an additional clerk in the next 20 to 22 years.
- Note: Constables should have a daily workstation, but they are not permanently housed. Most of their work comes from this office, but they do provide services for the other districts. The Constables come and go throughout the day and typically all three are not in the Magisterial District Court Office at any one time. For staff analysis purposes, it was not necessary to include them in the personnel forecasts. Workspace, however, should be included in the final space projection needs.

Sheriff's Office

Table 66
Current and Projected Staffing Estimate

	CURRENT	PROJECTED				
	2008 FTE	2013 FTE	2018 FTE	2023 FTE	2028 FTE	2030 FTE
Sheriff	1	1	1	1	1	1
Chief	1	1	1	1	1	1
Deputy/Sergeant/Warrant Deputy	15	16	17	18	20	21
Secretary/Clerk	3	4	4	4	4	4
Real Estate Assistant Clerk	0	1	1	1	1	1
Temporary Staff	1					
Total FTE*:	21	23	24	25	27	28

Comment

- Workload has increased as the County's population has increased. The court system crack down on DUI and drug offenders has had an impact on workload.
- An additional real estate clerk is projected to be needed within the next five years.
- The additional seven staff added between 2008 and 2030 represent a 33 percent increase, in keeping with the projected total case filing increase in both the Magisterial District Court and Court of Common Pleas Courts.

* Note: Security staff should have a daily workstation and appropriate queuing areas near the public entrance, but these staff are not permanently housed. For staff analysis purposes, it was not necessary to include them in the personnel forecasts. Workspace, however, should be included in the final space projection needs which will be dependent on the estimated number of public visitors anticipated for the new facility.

Prothonotary

Table 67
Current and Projected Staffing Estimate

	CURRENT	PROJECTED				
	2008 FTE	2013 FTE	2018 FTE	2023 FTE	2028 FTE	2030 FTE
Prothonotary	1	1	1	1	1	1
First Deputy	1	1	1	1	1	1
Second Deputy	1	1	1	1	1	1
Clerk	5	5.5	6	6.5	7	7
Total FTE:	8	8.5	9	9.5	10	10

Comment

- As keepers of the civil records, the projected caseload is estimated to grow by nearly 40 percent. This corresponds to at most three staff positions assuming that the current work relationships and ratios stay the same. However, Fulton County is expected to see a five percent drop in their case filings by 2030; therefore, staff that are currently allocated to handle Fulton County cases may be reallocated to handle Franklin County cases as appropriate.
- As more mortgage foreclosures, liens, judgments, divorce and custody cases come to the courts and processed through the Prothonotary Office a corresponding increase in staff will be necessary to process all of the incoming caseload and workload.
- The Prothonotary staffing is estimated to increase from eight staff to ten by 2030.
- Also, it is assumed that when the courts add an additional judge to the bench, the associated workload of processing cases through an additional justice will increase. Also when the state implements an upgraded computer system into the office, there will be a temporary overlap of work that needs to be converted into the new system, this position may be temporary but should be considered in the space planning needs.

Clerk of Court and Clerk of Orphans' Court

Table 68
Current and Projected Staffing Estimate

	CURRENT	PROJECTED				
	2008 FTE	2013 FTE	2018 FTE	2023 FTE	2028 FTE	2030 FTE
Clerk of Court/ Clerk of Orphans' Court	1	1	1	1	1	1
Chief Deputy	1	1	1	1	1	1
Deputy Clerk	6	7	8	9	10	11
Total FTE:	8	9	10	11	12	13

Comment

- Surveys received from the Clerk of Court and Clerk of Orphans' Court offices did not distinguish which clerks were assigned to which section of the two clerks' offices. Because clerks are crossed trained to work in both the Clerk of Court and the Clerk of Orphans' Court, the projection of staff is made as one group of clerks.
- Deputy clerks' growth rate is a combination of the clerk of court filings (2.1 percent) and the clerk of orphans' (1.5 percent) court filings to create an annual growth rate of 3.6 percent.
- The Clerk of Court and Orphans' Court can expect to increase staff from eight positions to 13 positions by 2030 to keep up with the anticipated case filing growth.
- There is a constant changing of Orphans Court procedures that will affect how cases are processed and handled by both the judges and the clerks, this could ultimately lead to simple re-allocation of staff or the potential addition of pending state mandates.

Domestic Relations

Table 69
Current and Projected Staffing Estimate

	CURRENT	PROJECTED				
	2008 FTE	2013 FTE	2018 FTE	2023 FTE	2028 FTE	2030 FTE
Domestic Relations Director	1	1	1	1	1	1
Client Service Supervisor	1	1	1	1	1	1
Client Services Specialist	4	4	5	5	5	5
Client Services Clerk	1	1	1	1	1	1
Enforcement Supervisor	1	1	1	1	1	1
Enforcement Officer	3	4	4	4	4	4
Enforcement Secretary	2	2	2	2	2	2
Enforcement Clerk	3	3	3	4	4	4
Hearing Supervisor	1	1	1	1	1	1
Hearing Officer	3	3	3	4	4	4
Scheduling Clerk	2	3	3	3	3	3
Hearing Clerk	2	2	2	2	3	3
Intake Supervisor	1	1	1	1	1	1
Intake Clerk	2	2	2	2	2	3
Staff Attorney	1	1	1	1	1	1
Total FTE:	28	30	31	33	34	35

Comment

- No major changes are anticipated to affect the current run of business.
- Case filing projections estimate that the department will grow by nearly 39 percent in the next 20 to 22 years. Fulton County is expected to see a dramatic increase in case filings, approximately 69 percent from the current new filings, where Franklin County should expect around 38 percent increase. Because of this dramatic increase in Fulton County, staffing allocated to handle Fulton County cases should be examined to address proper coverage and allocations.
- Historically, staffing has stayed fairly constant ranging between 27 and 29 staff since 1994, due to state automation of many processes, slight increases in staffing is projected to account for the anticipated case filing growth.
- A new Document Management System was implemented in August 2008 that would eventually eliminate the working file. All correspondence and paperwork will then be available to the staff electronically. Because this system is still in its beginning phases, it is hard to determine the exact effect that this will have on staffing needs. It is safe to assume that the caseload and workload will continue to increase but the deliverance of services will be more efficient.

District Attorney

Table 70
Current and Projected Staffing Estimate

	CURRENT	PROJECTED				
	2008 FTE	2013 FTE	2018 FTE	2023 FTE	2028 FTE	2030 FTE
District Attorney	1	1	1	1	1	1
First Assistant	1	1	1	1	1	1
Office Manager	1	1	1	1	1	1
ADA (Full time)	5	6	6	7	7	7
ADA (Part time) Each at .5 FTE	1.5	2	2	2	2	2
Sentence Guideline Coordinator	1	1	1	1	1	1
Restitution Coordinator	1	1	1	1	2	2
Legal Secretary II	2	3	3	3	3	3
Legal Secretary III	2	2	3	3	3	3
Drug Task Force Officer	3	3	4	4	4	5
County Detective	1	1	1	1	2	2
Victim Advocate (WIN Employees)	2	2	2	3	3	3
Legal Intern (Occasional)	1					
Total FTE:	21.5*	24	26	28	30	31

* Total does not include occasional intern

Comment

- The District Attorney's Office was approved for a fifth full-time attorney position in the beginning of 2006. This additional attorney position has been handled by a full-time law clerk.
- Although the District Attorney Office has seen significant growth in the past, most notably since 2000 with an increase from 8.5 FTE positions to 21.5 FTE, the recently expanded staff and current office space are adequate for the current caseload and are generally not expected to grow at the historic pace.
- It is estimated that the caseload produced by Fulton and Franklin Counties will grow by 46 percent by 2030. To maintain the current ratios of ADA and support staff to judges, it is estimated that staffing could grow to 31 positions by 2030.
- Currently the District Attorney's Office has seven private offices as well as open office space sufficient for the five administrative assistants. The seven offices are currently being utilized by the four full-time attorneys, the full-time law clerk, the county detective and the office manager. Given the current office space and number of employees, there is no additional office space available for new employees.
- While aligning services and technology between the District Attorney's Office and the courts may not relieve staff workload substantially, it will improve working efficiencies and services to the public.

Juvenile Probation

Table 71
Current and Projected Staffing Estimate

	CURRENT	PROJECTED				
	2008 FTE	2013 FTE	2018 FTE	2023 FTE	2028 FTE	2030 FTE
Chief Deputy	1	1	1	1	1	1
Supervisor	3	3	3	3	3.5	3.5
Probation Officer, BARJ Coordinator	8	8	8	9	9	9.5
Deputy Clerk	2	2	2	2	2	2
Administrative	1	1	1	1	1	1
School based Officers, Intensive Officers	9	9.5	10	10	11	11
Volunteer (Not Included in Total Staffing)	3	3	3	3	3	3
Total FTE:	24	24.5	25	26	27.5	28

Comment

- The population in Franklin County has been constantly growing since 1990 and juvenile crime has increased as a result. Historically, the Juvenile Probation Department has grown from 21 positions in 1999 to 24 positions in 2008.
- Because Juvenile Probation handles cases that are not always brought about by the court's case filings, using the county population rate of growth of .81 percent annually, will be the rate of growth at which this department will be measured.
- The Juvenile Probation Department can expect up to 17 percent to 18 percent growth by 2030, if current practices and laws remain unchanged. This would result in an additional four staff FTE.

Adult Probation and Parole Department

Table 72
Current and Projected Staffing Estimate

	CURRENT	PROJECTED				
	2008 FTE	2013 FTE	2018 FTE	2023 FTE	2028 FTE	2030 FTE
Walker Road						
Director	1	1	1	1	1	1
Supervisor	4	4	4	5	5	5
PO	19	21	23	25	27	27
Administrative	5	6	6	6	6	6
Collection Officer	5	6	6	6	6	6
Sub-Total	35	38	40	43	45	45
Opportunity Avenue						
Supervisor	1	1	1	1	1	1
PO	3	3	4	4	4	5
Administrative	2	2	2	3	3	3
Field Officer	2	2	2	3	3	3
Sub-Total	8	9	10	10	11	12
Total FTE:	43	47	50	54	56	57

Comment

- Historically, the staffing and workload for this office have grown at a steady pace. Staffing has increased by 40 percent (from 25 to 35) at the Walker Road location and by 33 percent (from six to eight) at the Opportunity Road Avenue location since 1999.
- Because the estimated county-wide population is expected to be lower in the future than it has been in the past, it is estimated that the Walker Road location offices will grow by about 30 percent by 2030, or by about ten staff positions. The Opportunity Avenue location offices are expected to grow by about 50 percent, or four additional staff, to account for current staffing deficiencies, new programs and legislative and court requirements.

Public Defender

Table 73
Current and Projected Staffing Estimate

	CURRENT	PROJECTED				
	2008 FTE	2013 FTE	2018 FTE	2023 FTE	2028 FTE	2030 FTE
Chief Public Defender	1	1	1	1	1	1
First Assistant Public Defender	1	1	1	1	1	1
Assistant Public Defender	4.5	5.5	6.5	7.5	8.5	9.5
Investigator	1	1.5	1.5	1.5	2	2
Secretary	1	1	1	1	1	1.5
Paralegal	1	1	1	1.5	2	2
Caseworker	1	1	2	2	2	2
Receptionist	1	1	1	1	1	1
Total FTE:	11.5	13	15	16.5	18.5	20

Comments

- Historically, the Public Defender Office has acquired two full-time assistant public defenders since 1999 or one FTE assistant public defender every five years, with its associated administrative staff ratio.
- Additionally, each attorney currently handles at least 500 cases per year.
- The same historic growth trend, of one FTE assistant public defender every five years, when projected out to 2030 accounts for both the growth trends in the criminal case filings heard in the Court of Common Pleas (a 50 percent growth), as well as the understood increases in case complexity and severity, increases in law enforcement arrests, and increases in mandatory sentences.

Summary of Staffing Requirements

Table 74
Current and Projected Staffing Estimate Summary

	CURRENT		PROJECTED				
	<u>2008 FTE</u>		<u>2013 FTE</u>	<u>2018 FTE</u>	<u>2023 FTE</u>	<u>2028 FTE</u>	<u>2030 FTE</u>
Court Judges	4		5	6	6	7	7
Judicial Staff and Court Administration	34.75		44	51	53	59	59.5
Magisterial District Court	5		5	5	5.5	6	6
Sheriff's Office	21		23	24	25	27	29
Prothonotary	8		8.5	9	9.5	10	10
Clerk of Court and Orphans' Court	8		9	10	11	12	13
Domestic Relations	28		30	31	33	34	35
District Attorney	21.5		24	26	28	30	31
Juvenile Probation	24		24.5	25	26	27.5	28
Adult Probation (Walker Rd./Opportunity Ave.)	35/8		38/9	40/10	43/10	45/11	45/12
Public Defender	11.5		13	15	16.5	18.5	20
Total FTE Studied (with only Walker Road Adult Probation):	200.75		224	242	256.5	276	283.5
Total FTE Studied (Incl. Both Adult Probation locations):	208.75		233	252	266.5	287	295.5

VII. INFORMATION EXCHANGE AND RECORDS MANAGEMENT

Records management (RM) is frequently thought of as a low-priority function that receives a flurry of attention only when essential information is lost or otherwise unavailable, disorganization results in unreasonable time and expense for information retrieval, or an inordinate amount of expensive office or facility space is dedicated to the storage of physical documents and records. However, in the context of this review, records management means more than simply the warehousing of paper documents such as court case files, administrative correspondence, and hard-copy operational files. It represents efforts of the Court of Common Pleas and Franklin County government to improve intra-organizational operations, the delivery of services to citizens and customers of the county offices, and efficiency in the design and space utilization requirements of the Courthouse Facility Master Plan.

An effective records management system also encompasses a system for document management, including both hard copy and digital documents. These systems jointly seek to:

- Reduce the incidence of lost or misfiled documents
- Provide faster search and retrieval of documents
- Reduce the physical space used for document storage
- Organize existing documents for better information access
- Improve work processes and operational efficiency
- Maintain accurate inventories of existing records including ownership, chain of custody and audit trails
- Develop and administer efficient records policies and programs regardless of the form of media
- Preservation of records throughout their particular life cycles
- Ensure implementation of approved retention and destruction policies

For the court and justice system entities that occupy the Franklin County Judicial Center (courthouse and its extended, nearby buildings) and the many citizens that use their services, records management pertains to books, registers, and paper files, as well as digitized voice, picture and word data including audio and email maintained on stand-alone, separate technology platforms. Court records including case related materials comprise the largest category of records maintained in Franklin County.

An effective records management program creates only records that are required; expedites and improves the availability of records when they are needed; preserves records with enduring legal,

administrative, or historical value; and disposes of unnecessary records in an orderly, cost-effective manner. RM standards throughout the court and county should be reviewed, especially in anticipation of a new courthouse. Standards are results oriented. They are impervious to a particular information format or arrangement. They should be based on a series of goals pertaining to the accuracy, reliability, and availability of records.

The study of information technology and records management in Franklin and Fulton Counties embraces a space planning focus. We acknowledge the continued need for additional room in many county agencies and justice entities heavily dependent upon hard copy documents while identifying helpful pathways to more effectively incorporate new technology and digitized data solutions that will reduce the need for document storage and paper recordkeeping.

Records Inventory Needed

A records inventory should be undertaken to identify and determine space and locations of data within the Judicial Center Complex of offices and buildings. Although we did not see the old record storage areas in the basement of the Courthouse and Court Annex Building, we were told that capacities to house additional records have been reached and that file location and storage conditions are extremely poor.

A. Records Retention and Disposition Schedules should be Followed

Records retention and disposition schedules organize information into records series defined as “a group of related records filed/used together as a unit and evaluated as a unit for retention purposes.” Retention and disposition schedules specify the period of time to retain records on site at the Justice Center Complex, transfer them to a secondary records storage center, move them to an archives or destroy them. A central electronic index should be created and routinely updated outlining all retention and disposition schedules. It should be posted on the county/court Intranet.

B. Electronic Document Management and Imaging System Needed

Nearly every justice office in the courthouse has some kind of document management and imaging technology project implemented or planned. We found two major issues that confront all offices.

First, each are operating in “*dual*” *paper and electronic configurations* and, therefore, suffer from the additional work new electronic systems demand while simultaneously maintaining older paper records systems. At this point in time, there are clearly issues with laws and rules preventing a full transition from paper to digitized formats. However, with proper operational planning to address both legal and business requirements they can be overcome.

The courts and justice offices should continue to move toward an electronic records environment. For example, if the law requires that paper originals or records be maintained, these paper records can be organized after scanning by scan date, boxed, and moved offsite. If the paper record must be retrieved, the box of paper documents can be located and the needed file retrieved. Our point: paper records are very costly to store in an active office facility such as the new court facility. The more space that is taken by these records, the more the courthouse will cost. In upper floors of a building, paper records require additional load capacity, hence more steel and more concrete reinforcement and more cost. In addition, these records are being cooled and heated at levels required for building occupants; all driving costs higher.

An argument often touted for housing paper records in an office environment is that they are “permanent.” In reality, without proper storage they are not. Paper files are commonly subject to decay, misfiling, and index/retrieval problems. Such is the case, we submit in Franklin County.

A second major issue facing courthouse offices is the *conversion of paper records to digitized formats*. Most courts and county agencies have only partially transformed their files to electronic versions. This has resulted in additional work that reportedly the offices are not staffed to perform.

All court and justice system offices destined to occupy space in a new or remodeled Judicial Center should create plans and complete scanning of the records they believe are required to run their operations. Admittedly, this will require additional staff and scanning resources to accomplish. This short term conversion cost will result in significant payback in space savings as well as improved staff operations and service to the public.

Two prominent examples of court operations being improved by transitioning to electronic records are King County, Washington and Florida’s Miami-Dade Court SPIRIT Project. The Ash Institute for Democratic Governance and Innovation at the John F. Kennedy School of Government recognized that over “\$5 million in savings¹³” have resulted for the taxpayers of Greater Seattle, amid other benefits, including:

- **Ease of Access:** Judges, clerks, attorneys, court commissioners and sheriffs can instantaneously access or file electronic court records at any time without going to the Clerk's office. Judges review court records electronically while on the bench.
- **Multiple Users:** Unlike the previous paper-based process, multiple parties can access court records simultaneously, eliminating frustrations over checked-out or missing files.

¹³ Government Technology Magazine, September 25, 2007, <http://www.govtech.com/gt/148972>

- Security: Issues of document defacement and lost or stolen files are no longer a problem under the program's electronic document platform. The system's rule-based credentialing ensures only authorized users have access to sealed court records. In the event of a system crash, ECR's (electronic court records) built in back up platform prevents data loss.”¹⁴

Miles away in Miami, another initiative has resulted in significant improvements as well, including a reduction in number of clerks needed in the court's calendaring unit (they were moved elsewhere in the organization), improved utilization of existing courtroom space, and a “significant reduction in police officer court overtime and increased officer's hours on the street through improved setting schedules and efficiencies.”¹⁵

C. Collaboration and Seamless Information Flow

Barriers in communication and a lack of common goals in information exchange and records management among county and court offices that occupy the courthouse exist in Franklin County. Admittedly, courthouses across America are filled with disparate functions and services which present formidable obstacles to effective collaboration and cooperation among the courts and agencies that occupy them. This is exacerbated where numerous independently elected county row officers operate in separate, organizational “silos” as they do in Franklin County.

When courthouse tenants operate in isolation, it works against the very results many of them are striving to achieve, that is, improved efficiency in the use of public resources, enhanced public trust, higher confidence in the services they provide, and increased effectiveness in accomplishing their respective missions and goals. These barriers are especially evident when workflows run across organizational lines as they so often do among courts and county offices.

To mitigate enterprise-wide compartmentalization takes strong resolve, creativity and a commitment on the part of court and county leaders to target the users (public, customers) more so than the providers (individual agencies and offices). In records and information flow the pivotal question to improve and develop a more effective, user-friendly courthouse is: how do court and county leaders stimulate collaboration and realign thinking toward more systems mind-set? How do you get beyond silo mentality?

At this time, it would be difficult to create a high-level map of workflows and business processes among the courts and court-related county agencies. No group or leader has acknowledged responsibility for effective enterprise level coordination of information flow. Where we have seen it work best are situations where top county and court leaders, namely the chairman of the county board

¹⁴ Ibid.

¹⁵ SPIRIT benefits webpage: http://www.miami-dadeclerk.com/dadecoc/SPIRIT.asp#SPIRIT_Project_Benefits

or county administrator, and the chief judge of the highest trial court in the county, work together to stimulate and drive coordinated perspectives to promote needed change. These key officials are central to a more systems view of records and information flow. Here, they must lead beyond the boundaries of their direct reports by creating supporting coalitions to mesh the interests of all justice groups—elected and appointed—in the pursuit of enterprise-wide decisions. That is what needs to occur in Franklin County.

Some specific steps that can be taken include the following

- Develop inter-agency, inter-court task forces of motivated, self-starters serving in middle management positions. These must be your best people who look first to how they can help others and can take a customers' point of view. In process re-engineering, it is important to work backwards from the end product or output.
- Promote the capture of data once and at its source. The objective is to improve trust and productivity among separate organizations by eliminating as much redundant data entry as possible. Trust requires a demonstrated and perceived capacity of putting the interests of others before your own. In this case, the interests of the customer, client and public.
- Utilize outside facilitators if necessary to stimulate cooperation and find common ground.

The end game in rebuilding a better records and information flows in the courthouse among its many tenants is the achievement of greater productivity and customer service. With that as the ultimate goal, higher public trust and confidence is assured, warehousing of redundant data and paper in expensive courthouse space is lessened, electronic information exchange is enhanced, and work is streamlined.

Extensible Markup Language, commonly referred to as XML, allows for separate computer systems and applications to talk to one another and share information, particularly systems connected via the Internet.¹⁶ A data dictionary must be developed that exchange partners can mutually adopt. The development of national and justice XML standards has established a platform that any court or justice agency can use to facilitate the transfer of information among independent systems. In 2006 a move toward a more powerful exchange language called NIEM (National Information Exchange Model) took place. NIEM expands information exchange between all governmental entities, including those in the justice system. This, then, encompasses Franklin County departments that may not be singularly justice system related.

¹⁶ XML is not a programming language such as FORTRAN or C++, but a structured mechanism for sharing electronic information. It is one of a chain of markup languages that have existed for a number of decades. It is the offspring of the Standard Generalized Markup Language (SGML) used for publishing and the Hyper Text Markup Language (HTML) used for browser-based Internet communications.

VIII. TECHNOLOGY DIRECTIONS

Modern technology directions will significantly affect any new or remodeled Franklin County Courthouses. Notable areas influenced will include records filing/storage/management/retrieval and archiving, court event scheduling, building way-finding, security, and Internet web-based services permitting remote business transactions without a courthouse appearance.

Electronic Records

Courts and county offices are records intensive. Over half the operating costs of a trial court are related to making a record of legal status.¹⁷ The more that processing, updating, managing, storing, delivering and preserving data can be digitized, the more versatile, efficient and useful the information. Consequently, the courts and county offices of the future will be highly dependent on electronic information. With that metamorphosis come both great opportunities and serious new risks.

Electronic Filing

Paper heavy organizations such as courts are ideal candidates for e-filing. E-filing involves using the Internet and appropriate software to send documents (pleadings, motions, transcripts, trial court records and briefs) to the court. The “paperless court” is not just a theoretical possibility. By the end of 2007, 26 states have adopted court rules enabling e-filing statewide or in at least one court. Pennsylvania is among that number.¹⁸ There continues to be an unrelenting demand for electronic transmissions to the judicial branch, as well as to county agencies. Court rules and protocols have been widely modified in many jurisdictions so sensitive information is redacted for public viewing and encryption software is employed to control access both within and outside the courthouse.

It is recommended that in parallel with the effort to convert paper documents to electronic storage, document E-filing be pursued for all offices. E-filing will benefit both professional and institutional courthouse customers since the majority of these “super users” already maintain their records and documents in electronic format. Information transfer and storage costs are dramatically reduced. In addition, E-filing (with E-payment) will allow customers with Internet access to more effortlessly interact with the court and county offices.

¹⁷ National Center estimates based on computer, video, audio and paper information systems; court transcripts; data entry; records updating, retrieval and warehousing; exhibit storage and cataloging; accounting systems; briefs, motions and legal supportive documents; document managing systems; e-filing; scanning and imaging; and website and Internet development, maintenance and upkeep.

¹⁸ 2007 National Center of State Courts Report on E-filing by John T. Matthias, Principal Consultant, NCSC Court Consulting Services, Denver CO.

This in turn means that the offices must adopt or develop data and information access policies, procedures, and resources in the new court facility for those persons without electronic resources. The NCSC provides considerable information on this topic related to courts at its Public Access to Court Records website.¹⁹

Central Video Control

Video capability is on the rise in trial courts. Whether video is used for security (in the courtroom, in the courthouse, and outside the courthouse), conferencing, public information display,²⁰ evidence presentation, media coverage, or transcribing the court record, the same system and equipment can be used to support the applications. The advantage in planning for this technology is that video equipment is and will continue to be digital using standard wired and wireless networks to send signals. However, there ideally needs to be a point to control, route, and process those signals. It is further proposed that a central audio/visual resource equipment and monitoring center be considered so that equipment and A/V capabilities can be shared among the various court jurisdictions. This alleviates the need to purchase conferencing equipment for every courtroom, chambers, and conference room since it is extremely rare that every technical communications system would be used at the same time. Each room would likely be connected to the central resource via a fiber optic cable in order to provide virtually unlimited A/V capacity and capabilities in the future. An excellent use of the centralized A/V resource center would be to use “hybrid” audio teleconferencing equipment that can employ the courtroom or chambers microphones and speakers as a virtual speakerphone thus replacing the normal standalone speakerphone and alleviating the need to “huddle” around the equipment.

An enterprise-wide central control room with gigabit size connections to the network along with switching, videoconferencing, transcription, multiplexing and digital transmission and recording capabilities allows various video applications and services to operate in a coordinated and cost-effective fashion. A systems mind-set and collaboration among court and county agencies is a must. With a central control room, staff costs are reduced both operationally and technically. As an example, it is eminently easier for an attorney to telephone central control to enable a video

¹⁹ <http://www.ncsconline.org/wc/CourTopics/ResourceGuide.asp?topic=PriPub>

²⁰ Many courts are now using visible queuing video screens in the lobby and/or public alcoves of the courthouse to indicate where cases are scheduled, including courtroom numbers and judges assigned. The courthouse in Ramsey County Minnesota (St. Paul) uses flat-panel video screens in the courtroom and hallways to display the “batting order” of defendants who have been interviewed by their attorneys and are ready to appear before the judge for initial appearance or similar proceeding. This allows the guards in the holding area as well as the attorneys to gauge their timing for the defendants’ appearance. If the queue can be shown on displays in the courthouse, the same output can be sent to the Internet for display on computers and cell phones with browser capabilities (which many people have today)

conference between the jail and a hearing room than to teach attorneys, judges and court staff to do so themselves.

The Sheriff's security office, holding operations, and prisoner transport would benefit from the use of videoconferencing and the ability to connect via a Central Video Control where and when needed. In addition, the video network would support security needs throughout the justice facilities by allowing video to be sent within the campus or elsewhere on the county's network.

Wireless Networking

A secure wireless (Wi-Fi) network should be a foundation principle for computer technology in any new courthouse. A Wi-Fi network can be made very secure with current software and hardware which will continually improve in the future while maintaining the systems flexibility. Computers, printers, and even data projectors and telephones can be placed and used wherever needed in the courthouse. Further, bandwidth or speed of these networks is destined to increase in the future.²¹

Another advantage of Wi-Fi is reduced computer wiring. Computer network cable costs approximately \$1.50 to \$2.00 per foot installed. Avoiding the use of cable can save significant amounts of money in constructing a courthouse. It should be noted, however, that Wi-Fi will not completely eliminate network cable, but rather reduce the amount required. An open, non-secure public Wi-Fi network should be installed in the courthouse, too, as a service to the public, jurors, and lawyers. As an example, a public Wi-Fi system could be used by private practitioners to connect to their law office servers and by jurors while waiting in the jury assembly room. A variety of customer services could be offered through Wi-Fi, including such comforts as an electronic prompt system for jurors, similar to those used by some restaurants to alert patrons that their table is available, when a juror is needed in the assembly room.

Real-time Case Performance Monitoring and Analysis

Greater numbers of automated case management systems (CMS) are structured to export data to personal computers allowing essential management questions that were unanswerable using standardized reports to be probed and analyzed for operational improvements. Data commonly recorded by courts can address basic performance questions if it's timely, configured in meaningful ways and accurate. What aspects of the caseflow process are working as expected? What is not working? What cases are taking a disproportionate amount of time to resolve? What are the

²¹ The upcoming 802.11n specification provides speeds of up to 540 megabits per second. The Burton Group, a renowned technologies research, advisory and forecasting strategic think-tank concludes 802.11n is good enough to be considered as replacement for wired Ethernet.

characteristics of those lagging cases? What is the normal attrition rate, when do cases settle, and is there a role for mediation?

These advances will provide a new dimension of performance monitoring using such assessment measures as the CourTools™.²² The ability to scrutinize performance in real-time will help leadership judges and court managers to better allocate resources, identify caseload problems before reaching crisis proportions, and experiment with remedies sooner.

Courtroom Technology

As a major tenant in the courthouse, the judicial branch and its collateral offices have an opportunity to lead the way in re-engineering work processes toward further automation. Nowhere would it be more beneficial than in judicial proceedings.

In 1992, the NCSC entered into a partnership with the College of William and Mary School of Law in a joint venture called the *Courtroom 21 Project*. As the leaders and innovators of courtroom technology for the past 16 years, and as a leading consultant in the creation of advanced courtrooms in working trial courts around the world, NCSC feels the advantages of technology have been proven.

The bottom line is that courtroom technology saves time in the courtroom and as a result, saves money. *Courtroom 21* tests have shown that technology enhanced trials take 25 percent less time to complete. One reason is noted in an article published in "Trial" magazine²³ in 1999:

"The powerful impact of computer graphics and animation on juries is certain. "[V]isual materials can often successfully convey ideas and facts in a far more comprehensible and persuasive fashion than mere testimony or test." A wise trial lawyer is always mindful of the fact that "although jurors only retain 15 percent of what they hear alone, they retain 85 percent of what they both hear and see." Lawyers will use technology-based visual demonstrations for the same reasons they have used models, photographs, and foam-board blowups. Jurors respond almost uniformly in favor of computer-generated techniques in the courtroom. Because jurors are exposed to computer animation in video games and on television, they are accustomed to receiving information through this medium. In fact, studies show "that jurors focus primarily on the visual evidence used during trial."

In addition, more and more evidence is digital. Bank records, video from the police cruiser or surveillance cameras, Internet web sites, and scanned document repositories that contain literally terabytes of data are common occurrences in today's litigation. Courtrooms that are equipped with

²² *CourTools* are ten vital performance measures developed by the National Center for State Courts for use by trial courts to monitor operations. They measure access and fairness; clearance rates; time to disposition; age of active pending caseload; trial date certainty; reliability and integrity of case files; collection of monetary penalties, effective use of jurors, court employee satisfaction, and cost per case.

²³ http://www.ncsconline.org/D_KIS/TechInfo/Articles/TIS_CtRoomTrial1Art.htm

technology can easily handle these requirements. Otherwise, it is necessary to spend considerable time and cost to temporarily retrofit technology into courtrooms designed for 19th century proceedings. Often this has put courtrooms out of commission for days preceding trials.

So what kind of technology is commonly installed in courtrooms today? The common list contains:

- Visual displays
- Visual capture devices (document cameras)
- Visual playback devices
- Video conferencing
- Security video and alarm
- Wireless computer networking
- Audio reinforcement and integration
- Appropriate electrical supply and connections
- Control systems
- System integration and connections

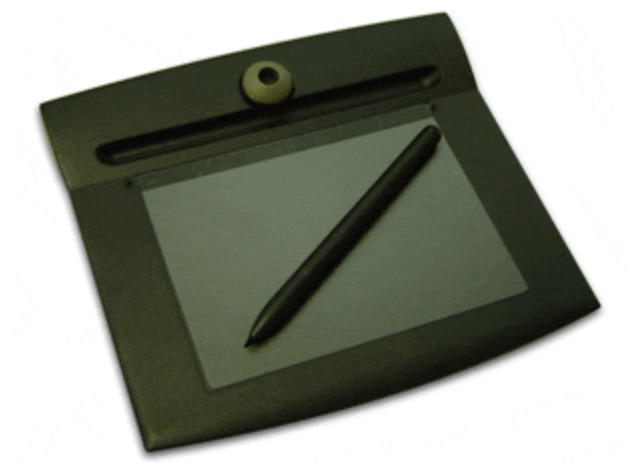
First, the judge's office and chamber of the future will almost certainly have multiple screens to interact with electronic systems. See the pictures below.



With three screens (possibly touch enabled) and a Tablet PC type device to record and interact with the data, the judge can have information presented by the prosecution on the right screen, the court record and video on the center screen (with a built-in video camera) and defense presentation on the left screen. The Tablet PC is already being used by judges in the Colorado Judiciary to store documents, their bench book, court rules and statutes, and record their notes using the computer's pen (a courtroom "mock-up" is pictured later in the report).

Court files can be “organized” with “Post-It®” notes and broken down into component information parts and displayed with appropriate highlighting, color coding, and in a desired organizational order. This task oriented approach can be adjusted for judges (in this example) by particular type of hearing. The release hearing would display different information than the sentencing hearing and so on.

Second, the courtroom clerk and bailiffs would also require multiple screens. Some of those screens might mirror what is in front of the judges so a clerk/bailiff could follow what was happening in the courtroom or do data entry contemporaneously with the judge’s actions. Further, the clerk/bailiff might also have a Tablet or Tablet PC entry device so that they could quickly capture data with the pen as is currently done in court. The Tablet PC has the additional advantage of allowing the defendant to still sign their documents with a pen. Alternatively, a separate signature pad could be provided for this purpose.



Example: Topaz “SignatureGem” pad (<http://www.topazsystems.com/products/siggem4x5.asp>).

Courtroom electronic data capture is a particularly difficult issue. In many cases it is necessary to provide workspace for two clerks with two keyboards to keep up with the fast pace. Tablet computers equipped with “digital ink” forms²⁴ can also potentially assist courtroom clerks in quickly capturing information and printers in the courtroom or nearby (perhaps in an area outside of the courtroom where participants can “flow” after their hearing is complete) are used to give participants their paper copies of the results.

²⁴ One example of Tablet PC forms is Active Ink: <http://activeinksoftware.com/>

Audio/Video (AV) and computer based conferencing will become ubiquitous in courtrooms in the future. For example, one such purpose would be to provide American Sign Language interpretation in the courtroom without incurring the expense of bringing an interpreter to court for a brief hearing. Videoconferencing is currently being used to hold many hearings such as initial appearance, scientific evidence presentation, and status hearings with persons in custody at remote locations such as state corrections and mental health facilities. In some courts videoconferencing capabilities have been extended into the judicial chambers for both quick conferences and to provide a safe environment for intimidated or youthful witnesses. And while wireless microphones are well established, their batteries require constant monitoring so as to avoid embarrassing outages at inopportune times.

Sufficient conduit should be installed in all courtrooms and judicial chambers to allow for the installation of network video and sound distribution wiring in the appropriate locations. While the specifications of this wire is constantly changing from copper to fiber-optics, the fact remains that some kind of “hard” connection is likely to be needed in the near future to establish a reliable system. Therefore, in the courtroom at least five video camera locations should be identified and conduit installed. These camera locations are normally installed so that they point to the judge, witness, both counsel tables, and an overview camera that would capture the entire courtroom. Cameras are almost never pointed at the jury box. Further discussion of use of the overview camera will be included in the courtroom security section of this report.

Although the judges and staff in Franklin County are well aware of courtroom presentation technologies, the crucial questions that must be addressed in planning a new facility are: What technology should be installed in the courtrooms at startup? And, what can potentially be installed at a later point? Without a doubt, wiring, electrical conduit and an adequate number of strategically placed receptacles, along with wireless computer network capacity are essential requirements at the outset.

Additionally, it is important to decide on the best positioning of display technologies in the courtrooms to facilitate evidence and witness presentations? To that end, Mr. Samuel Solomon, noted courtroom technology designer, coined the term “the golden triangle” to describe the visual interaction between judge, attorney, and witness. Ideally the attorney will be able to position themselves so that within their field of vision they will be able to see the judge, witness, and jury (where a jury is required for adjudication). Within that triangle of vision, the display technologies should fall.

The ideal display technology arrangement is behind or adjacent to the witness box. This allows the witness to point out particular evidence displayed on the screen without leaving the box. It also allows a single point of focus for the judge and jury thereby eliminating the need to shift their focus from either paper documents or screens mounted in the jury box or elsewhere in the courtroom.

In considering the minimum, initial technology that should be installed in remodeled or new courtrooms in the courthouse, we have nine recommendations which are standards that we have developed over many years of court building design work. Some of these features are present now in the newly remodeled courtroom in the courthouse.

Recommendation 1: A document evidence presentation camera without backlighting should be installed in each courtroom at an attorney presentation podium. This provides the ability to display documents and other evidentiary objects on a large projection screen. This also allows attorneys to quickly make their point regarding evidence and move along without waiting for a jury to individually examine a document thereby delaying the proceedings or splitting their attention and again causing delay.

Recommendation 2: A whiteboard that can be hidden behind folding or sliding millwork behind the witness box. The whiteboard could be replaced by large flat screen LCD or Plasma monitor with touch-screen capabilities either when the courthouse opens or in the future. Therefore conduit for video and electrical cabling should be installed behind the whiteboard mount for future access. The whiteboard mount should be sized to accept a 60" or larger flat screen display in the future. The whiteboard can be used by witnesses to illustrate their testimony at low cost and provide flexibility to mount other graphic evidence so that everyone in the courtroom can view it. Please note however that if budget is available, we recommend that the courts install the large flat screen display.

Recommendation 3: If a flat panel system cannot be installed due to cost or other constraints, a drop down data and video projection screen as an alternative should be installed in the ceiling behind the witness box. Very large video projection screens can be installed and used without adjusting current courtroom lighting. The screen can be used to display output from the document camera, provide computer and video images, and photographs. Counsel has the option to use laser or computer pen pointers to direct attention to a specific area on the display.

Recommendation 4: If a drop down screen is used then a drop down video projector from the ceiling of the courtroom should be installed. This is a standard meeting and classroom item that can be used to maintain the dignity of the courtroom while providing high capability video and data projection services. The use of the drop down projector allows for projectors to be continually upgraded as technology improves and cost decreases. It also allows for quick change-out and for repair when a projector fails.

Recommendation 5: A backup projector should be maintained in the courthouse. New data projectors can use computer network wiring to connect to the image output from a laptop computer or other video source. Thus when counsel visits the courtroom for the first time, they can download the software and then connect to the projector via a Wi-Fi network without significant intervention by technical staff. Further, judges and court staff will also have access to the video projector from their computer system and could use it to display jury instructions, call lists, and other information as needed. (Projectors can be installed with a changeable password and network router control to protect them from being “hacked” from an outside source).

Recommendation 6: Every courtroom should have a planned acoustical “footprint”. Today, no courtroom should be built that has “echoes” or “dead spots.” Acoustical plans must, therefore, incorporate the shape of the room, furnishings, and wall and ceiling treatments. Even with this planning, however, there will need to be an audio enhancement system for the courtroom with microphones, mixer, amplifier, and speakers. Unfortunately, many new courtrooms have been designed with wall and ceiling surfaces that do not enhance but rather interfere with the sound reinforcement, communication, and recoding capabilities, and, therefore, this must obviously be avoided.

Recommendation 7: An infra-red or other wireless emitter should be installed so that it is always available to support ADA required audio enhancement headphones (and perhaps also for language interpretation) for courtroom users.

Recommendation 8: A “white noise” feature should be installed to mask the courtroom sound system making bench side-bar conversations difficult to overhear. In doing so,

microphone should be available (usually a flat Piezo type) to record the conversation or output it to the court reporter via a headphone is necessary. It is also suggested that court decision-makers should explore on-demand background music piped through courtroom audio speakers as an alternative to “white noise” which is irritating to some people. Ambient background music is often less jarring than “white noise” and can potentially be soothing to courtroom participants in the stressful environment.

Recommendation 9: The audio system should be engineered to accept input from the video display device whether it comes from a computer or other video output system.

As a result of these recommendations, the courtrooms will be able to support display of computer, document, video, and audio output from all of the potential sources in the courtroom. It represents the minimum standard we recommend for new courtroom construction.

What is appropriate for each courtroom varies by the type of activities normally held in the courtroom. However, one recent project highlighted the need for consistency in the equipment, software, and interfaces used in a court facility to make it easier to learn and use by the judges and attorneys. A compendium of articles and resources on Courtroom Technology that discuss several technology enabled courtroom projects has been compiled by the NCSC’s Knowledge and Information Services Division. Several Compelling Courtroom technology projects have been included in Appendix F.

IX. PUBLIC USE AND ACCESS

The Franklin County courthouse, as it is now configured, is very confusing to the outsider. Numerous elected row officers, with different services constitute countless options to the uninitiated trying to use the justice system. As a result, we believe that a customer service center concept should be strongly considered for the new or remodeled Judicial Center that would create a “one stop” shop for the majority of court customers who simply wish to file a document, make a payment, access court files, or find their courtroom.

Many of the new courthouses built or reconfigured throughout the country incorporate innovative designs that are intended to serve visitors in streamlined and helpful ways. A particularly successful approach is to locate intake services or higher-volume activities on the ground or entry level floor of the building. The county departments and offices at the Snohomish County Courthouse in Everett, Washington provide an example. In this county, numerous offices and courts have worked together to construct a multi-agency service counter that provides essential, commonplace public services quickly and easily. Coupled with clear directional signage, this innovation reduces the need for public visitors to search out particular offices and agencies throughout the building. It also results in a higher degree of public satisfaction and confidence in local government agencies, reduces the level of foot traffic throughout the building, and provides enhanced efficiencies in the delivery of fundamental services.

It is suggested that a central service center concept be incorporated into the Franklin County Judicial Center Master Plan by clustering the public counters or customer service functions of both court and justice system agencies in close proximity on the entry level floor. Those functions with related services can be placed together. For example, customer service functions for the various row offices might be co-located at the same counter with staff members cross trained and available to help each other even though assigned to a specific agency. Such functions might include:

- Accepting papers for filing
- Receipting fees, fines and other cash payments
- Receiving public requests for file and document review
- Providing basic instruction and directions

A customer service area could also include space for short-term public research and retrieval of records. This function currently takes place in each court-related office, but most extensively in the Clerk of Courts, Prothonotary, Clerk of the Orphans’ Court and Register of Wills. This research

and records area would include a number of computer terminals, microfilm/microfiche reader machines, copiers, and work tables for use by visitors.

It is important to note that the clustering of customer service functions has the potential to improve operational efficiencies, space utilization and customer service not only for the courts but also for county agencies. Where common types of services are performed such as payments and collections, information or records requests, and document filing, consolidation of these activities can provide similar benefits to the county generally, the particular agencies, and the public.

Technology also plays a key role in the concept of enterprise-wide customer service. A computer system “front end” should be developed to access and update the county and court case management and document management systems for specific functions such as document and payment receipt. If, however, there is a more complicated transaction, the customer service staff could direct the patron to the appropriate office. Scanning could also be done at the service center for different document management systems. Again, a “front-end” system could be developed that would feed the documents into work queues for the different offices where they could be reviewed and subsequently accepted into their systems. Similarly, a payment “front-end” could query and retrieve accounts for different offices. This procedure would likely result in the discovery of receivables due against different cases. For example, if a person makes a traffic fine payment, it may also be determined they owe child support.

Technology can also assist in directing persons to the proper court or hearing room as well as facilitate courtroom operations. The inclusion of information kiosks along with a customer service center provides an option to use a touch screen computer to access specific information and “check-in” with the court. Today, courts waste untold hours of time each year in courtrooms calling for people who have not appeared at the courthouse. With an automated check-in system, if the critical participants were not all present, the case need not be called or may be deferred to a later time when all parties have arrived. The courtroom data system would then queue up the person, perhaps in the order they checked-in (similar to an airline rewarding persons who come to the airport early with the best seats). The kiosk could also, as the calendaring system progresses, queue the time a case is to be called in the courtroom, and display the “batting order” of cases being heard on flat-panel monitors outside the courtroom.²⁵ With alternative waiting space such as a food court/café, comfortable lobby

²⁵ Ramsey County (St. Paul) Minnesota presently operates such a system at their Justice Center Courtroom. Once defendants have met with their attorney and are ready to appear, the parties enter that information into a kiosk which automatically updates the case management system and schedules an appearance that is displayed on monitors outside the courtroom.

or lounge area, court customers will have a better and more comfortable experience. The result: greater efficiencies and experiences for all. This would especially be helpful in the activities of the Central Court calendar.

X. Effective Space Utilization

Central Court

Of particular concern in designing a new or remodeled Judicial Center is the infusion of flexible courtroom, hearing and judicial proceedings space. The Central Court (CC) calendar is an example of a new proceeding that has caused existing space—the juror assembly room—to be adapted in unanticipated ways. In itself, flexible use of space for different adjudication functions is a desirable feature in any new or remodeled facility. However, unlike the current Central Court example, truly useful and alterable space should be creatively and logically structured. Through the use of calendar management strategies such as docket staggering and the scheduling of multiple sessions, it is possible to reduce the peak flow demands on the courtroom facilities and thus take better advantage of available facilities.

In a new or remodeled Judicial Center, a multipurpose jury assembly room could certainly be used for preliminary hearing discussions, mandatory arraignments, and plea arrangements one or two days a week, but it must be surrounded by adequate support space for victim, witness and law enforcement waiting, attorney and client conference facilities, and adequate security. Child care facilities either need to be separately provided in another area of the Judicial Center or, as in the case of some courts, contracted out to nearby private agencies.

Currently, the Central Court calendar operates one day a week. Approximately 30-60 cases are set in the morning and 30-60 matters in the afternoon. Most defendants waive their prelims and negotiate a plea agreement. Two Magisterial District judges handle the calendar simultaneously. Generally, there are six to eight defendants in custody in the morning and six to eight incarcerated prisoners in the afternoon.

The Central Court calendars are designed as fast-acting, front-end felony processing tribunals. They could be classified as a “problem-solving” court since there is a good deal of collaboration among the court, prosecution, public defender, and adult probation in and around the courtroom itself. Many of the justice system partners should office near the CC facility. Previously, many of these matters were heard by separate Magisterial District judges. That convoluted process caused case delay, cost increases, jail overcrowding and public safety problems.

The Central Court calendar effectively resolves criminal cases early. It should remain as an essential feature of caseflow in the Judicial Center, but its space, security and traffic flow must be accommodated more wisely in a new building.

Services Co-location

As discussed in the previous section, economies of scale, increased efficiencies, and better space utilization could be gained if various court management functions were co-located. It appears the court system is not adverse to spatial reorganization as it improves both internal working efficiencies and service delivery to the public. Pennsylvania is one of a shrinking number of states with numerous independently elected row officers who provide recordkeeping, files management, fines/fees/costs accounting, and court attendant services. There is a trend among state courts nationally away from what some have labeled “Jeffersonian Democracy”²⁶ where numerous, local row officials²⁷ are elected toward consolidation of those offices and appointment of their top department heads. The percentage of states with appointed clerks of court serving general jurisdiction courts has increased from 29 percent in 1980 to 40 percent in 2004. An example in Pennsylvania occurred in Allegheny County (Pittsburgh) with a referendum in 2005 consolidating the offices of Clerk of Courts, Prothonotary and Register of Wills/Orphans’ Court Clerk into an Office of Court Records with an appointed department head. The trend toward consolidation and appointment recognizes not only the work of the trial court as primarily management related in support of the adjudication of cases, but also responds to greater sophistication in processing records and information electronically.

We are not suggesting that the separate Clerk’s Offices in Franklin County be consolidated. We are encouraging, however, that in any new courthouse, they be co-located and encouraged to share technology and recordkeeping systems. One such area that has already seen the co-location and cross training is the Clerk of Court and Clerk of Orphans’ Court offices. While internally, the office clerks function as needed in each field, the added internal flexibility to handle workloads reduces the immediate need for additional staff to handle just one or the other. Possible introduction of the Prothonotary clerks into this co-location of services can allow for great flexibility among clerks of all three offices while to the public remains as three independent departments with improved efficiency. Of course this is dependent on local statutes and regulations that may limit certain interactions between the departments.

²⁶ Thomas Jefferson concluded government is a dangerous necessity and should be structured so as not to become too powerful. Coupled with the principle of representative democracy, where citizens have a civic duty to aid the state and resist corruption, Jefferson supported the creation of numerous elected offices at the local and state level to promote the rights of the individual and prevent government tyranny.

²⁷ The term “row offices” developed in the early 1800’s. County officials often had their offices all in a row on the ground on both sides of a long corridor in many courthouses across America.

Shared Courtrooms and Flexibility

For the purpose of accommodating future court operations that are certain to change over time, it is recommended that new facilities be planned with flexibility in mind. New courtrooms should accommodate both short and long-term growth and contribute to flexible and effective administration of justice in an evolving courtroom environment. Each courtroom should be programmed and designed to service the public, based on the projected levels of demands on court services. Courtroom specialization should be minimized. Standard-sized courtrooms and ancillary facilities should be constructed to accommodate the current delivery mechanisms as well as future growth and policy changes.

Shared courtrooms are recognized as an efficient use of space, especially in times of limited resources and underutilized trial court and hearing rooms. Rarely does courtroom utilization reach 100 percent. Courtrooms often sit empty because of fewer court hearings and reduced numbers of jury trials.²⁸ General jurisdiction courts in America today seldom try more than three to five percent of their filed cases. Growing litigant-based services (i.e., ADR, deferred prosecution, settlement conferences, etc.) have increased the likelihood of early case resolution, especially in minor criminal, family and juvenile matters.

Consequently, the utility of building large numbers of standardized courtrooms with jury boxes, witness boxes, implanted counsel tables, and fixed audience seating comes into question. Courtrooms for tomorrow will likely need to be more adaptable and open to reconfiguration. This doesn't negate the need for traditional jury and non-jury courtrooms, but it does challenge space designers and architects to plan in more adaptive, elastic ways.

Family courts, problem-solving tribunals, front-end criminal processing centers (e.g., central court operation), and other specialized facilities can more easily be structured to accommodate specific case types. Specialized or problem-solving courts are designed to hold defendants accountable, provide early treatment for underlying social/psychological/addictive and physical problems, actively involve the community in restoration and restitution, and break the cycle of recidivism by changing aberrant criminal behavior permanently.

²⁸ The numbers of criminal and civil jury trials in state and federal courts have been declining steadily over the last three decades. Since 1976, as an example, the number of civil jury trials decreased about two-thirds in both state and federal courts while the number of filings and dispositions continued to rise dramatically. Although there are many causal factors, chief among them are the burgeoning use and availability of mediation, arbitration and other forms of alternative dispute resolution, and active early settlement and issues resolution conferences by judges during the pretrial stages of a case. *Center for Jury Studies, National Center for State Courts, Williamsburg, VA.*

One of the best known types of problem-solving courts is the drug court. Others have since developed around what has become the therapeutic jurisprudence movement exemplified by assembling justice system agencies (prosecutor, defense, probation, community treatment providers, and court management) with judges to triage cases early by prompting advanced pleas or deferring sentencing in exchange for immediate assessment, treatment and monitoring and successful completion of a rehabilitation regimen. This form of diagnostic adjudication follows a medical model, requiring a team of professionals in and around the court to work with defendants and report progress (or lack of it) to the court. The judge, as the power figure, forces compliance, punishes willful failure, and rewards success through judicial sanctions. It necessitates nontraditional, collaborative space where treatment providers and monitors can collaborate easily together, yet the judge and judicial trappings are clearly evident to convey the power of the state as to the serious legal nature of the offense and corresponding need to reform.

A problem often associated with problem-solving courts flows from the fact that they are a new innovation and often existing space must be jury-rigged out of formal courtroom configurations to house them. When such is the case, the chaotic interplay functions in make-shift space demeans the dignity of court and portrays a lack of respect for all participants, including judicial officers, lawyers, staff and defendants. In planning for a new or remodeled Franklin County courthouse, flexible space use becomes all the more important.

It is also recommended that support/ancillary spaces should be designed to accommodate the changing role of the courts and the needs of the court's customers. Rooms that are designed to be multi-purpose can accommodate all of the courts housed in a certain location and be used for a number of court functions, such as mediation, jury assembly, marriage ceremonies, staff training, and even magistrate hearings. Hoteling spaces is another efficient design strategy that can help maximize design efficiency. They are appropriate in situations where visiting judges and attorneys require occasional and intermittent workspace accommodations but are not part of the facility's regular working population.

Collegial Chambers

Traditionally, general jurisdiction courts, such as the Court of Common Pleas in Franklin County, have configured courtroom and chamber space for judges on a one-to-one ratio; normally a jury courtroom and adjacent judge's chambers specifically designated for the use of one judge. When calendars or docket assignments change, new case types are brought to the judge. The judge's

location and courtroom remains fixed.²⁹ Often, this restricted configuration inhibits flexibility in space use and calendar management as well as complicating customer service and security by scattering case types throughout the courthouse.

As a general rule, courtrooms should be close to the judges' chambers, although this does not require that they be immediately connected. It is often more convenient and flexible for future organizational changes to have judges' chambers organized into judicial suites, slightly apart from the courtrooms. This is a new concept developing in many courts today called "collegial chambers." Here, judges office together in one portion of the courthouse or Judicial Center. There is no one-to-one relationship with a courtroom and chambers. Rather, judges travel to different courtrooms and hearing rooms depending on their calendars. Family and juvenile proceedings require different, more informal space and features than a criminal jury trial, as an example.

The clustering of judicial chambers permits the pooling of resources and staff and also may enhance staff security. This pooling of staff and resources has been proven in many jurisdictions to be more beneficial to staff productivity and responsiveness to judicial demands without having to increase support staff. This could be pooling and sharing courtroom tipstaff, court reporters, judicial secretaries and even law clerks. This variable is dependent on the personal court culture and agreement among all parties, however, an internal assessment may reveal overlapping duties or efficiencies that might be gained by this collaboration.

At the Denny Juvenile Center in Snohomish County, Washington, court judges and staff appreciate the uniform design, better security and streamlined traffic flow in the chambers, and support staff space that collegial chambers offer. While judicial officer isolation is often an unavoidable occupational fact in adjudication work, courthouse design to mitigate it by promoting more collegial workspace is well received. Chambers space for judges should continue to provide for three support staff, namely a law clerk, courtroom clerk (assigned by the Clerk) and court reporter. Space planners and architects are well advised to explore similar space configurations for commissioners on the basis that it permits more flexibility in officing and calendaring judicial officers (both judges and commissioners) as the staffing and calendaring mix may change over the next several years concurrent with caseload growth, statutory changes and Judicial Branch policy.

Chatham County, Georgia, by space limitations, has effectively pooled Superior Court law clerks on a separate floor from the Superior Court judges. This has created an in-house "law firm" for the Superior Court where resources may be shared among law clerks for faster turn-around time

²⁹ Frequently, judges select courtrooms and chambers by seniority. Senior judges get the most desirable facilities; less senior judges are left with more unpleasant space.

and reduce the need for additional staff growth, though the county is experiencing an increasing caseload. The workload of the Superior Court justifies between eight and nine law clerks; they currently effectively utilize only seven. Specific staff arrangements are unique to each jurisdiction, however, and rely heavily on the specific court culture to dictate staff reallocation.

In Maricopa County, Arizona, a multi-storied criminal courts tower is being designed to accommodate all trial court judges on their own floor to allow for a more effective assigning and full-time use of their courtrooms. This has resulted in fewer courtrooms, more assignable bench time, and a smaller building footprint. It is suggested that court leaders and building planners explore this latest contemporary direction in adjudication space. It has great potential to accommodate litigants, lawyers and the public in better ways as well as providing flexibility in adjusting to a new wave of diagnostic adjudication.

Diagnostic adjudication is a term coined by Carl Baar, Tom Henderson in a 1984 National Institute of Justice study to describe what is currently referred to as problem-solving tribunals, essentially a combination of therapy and accountability for the offender, and restoration for the victim and community. Wellness courts, mental health courts, drug courts, homeless courts, juvenile courts, teen courts, quality-of-life courts (prostitution, status offences, vagrancy, etc.) and prison re-entry courts are examples. The courts follow a medical/behavioral model applying progressive sanctions coupled with evidenced-base treatment regimens for chemical addictions and behavior problems.

Special-purpose Criminal Case Space in the Courthouse

Criminal case satellite and support functions such as prisoner holding, pretrial conference rooms, and victim/witness waiting areas are necessary in any courthouse. For the most part, however, they are often second thoughts, allocated space after courtrooms, hearing rooms and chambers are planned. These types of areas require segmented traffic flows and high levels of security. They should be more effectively accommodated and sited.

Prisoner holding and transport should never be mixed with public or staff space.³⁰ Pretrial conference rooms often require the presence of in-custody prisoners in plea negotiations, client-defense attorney conferences, or acrimonious civil case litigation discussions (e.g., contested domestic relations matters). Victims and witnesses need separate, safe areas in the courthouse to meet with public advocates and lawyers.

³⁰ Current prisoner holding and transportation is seriously inadequate in the Franklin County Courthouse.

Conference Centers and Shared Staff Office Space

Opportunities to extend the concept of enhanced collegiality and shared work space are possible for selected court staff who mainly work in the field with clients. The changing dynamics of work and the work environment today and in the future will be more team-based, collaborative, technology-driven and less dependent on highly structured office space. Moving client-based staff from individual and private offices to shared space with high concentrations of conference and interview capability is not only beneficial to the public and heavy users of court services, but it allows better security and improved traffic flow options in the courthouse.

Using Traditional Space in New Ways

Increasingly, courts have experimented with new ways to use conventionally dedicated courthouse space such as jury assembly rooms and law libraries. As an example, the Common Pleas Court in Franklin County has been forced to develop an avant-garde way to use its jury assembly room as a front-end criminal processing point due to the lack of other adequate space. Here, however, we are targeting the unconventional use of traditional space in a more flexible, designed way.

If planned properly, jury assembly rooms can have multiple uses as large gathering points. Demountable partitions can divide them for office and conference use. A living room setting for a jury assembly area where sofas, tables and comfortable chairs arranged in conversation clusters along with study carrels and strategically placed TV screens used for juror orientation can easily be used for more relaxed training or meeting purposes.

Many law libraries, with the increase in electronic legal research, are downsizing and re-shaping their customary role serving lawyers, judges and law clerks and re-making space dedicated to books and treatises to other services and functions. A tremendous growth in the numbers of litigants without lawyers has pushed many libraries to offer extended self-help legal services, including forms and instructions for non-lawyers in marriage dissolution, child support/visitation modifications, small claims, guardianships/conservatorships, traffic/infractions litigation, and orders of protection. Librarians become information sources.³¹ Libraries also offer great potential as a resource for numerous other unmet courthouse customer needs, including a deposition and conference center for private lawyers and their clients (fees could be charged for room rentals), a location for the county bar association offices (rent administrative space as possible), and a court

³¹ Strict restrictions regarding giving legal advice without a lawyer-client relationship are avoided by carefully structuring forms, instructions and staff assistance around legal information versus legal advice.

conference, meeting and education center for judicial officers and staff (continuing education, court committees, etc.).

Future Court Facility Planning Concepts and Goals

The proposed new or remodeled courthouse will serve the citizens of Franklin and Fulton Counties for many years. In consideration of the present needs and the future changes in court operations, the new or remodeled courthouse should be designed to address the following goals:

- To convey an image of dignity and solemnity and a sense that the facility is one in which justice is done.³²
- Serve as a focal point for appropriate civic activities and events as well as a venue for county judicial functions.
- Maintain flexibility to accommodate both short- and long-term space needs and contribute to the effective administration of justice.
- Offer an environment that is easily accessible to the public and user-friendly.
- Offer an efficient and secure environment for all citizens who utilize the facility as well as for the judges and court employees who work within the facility.
- Equip all courtrooms, offices, and other functional space with advanced technologies to facilitate the efficient administration of justice and improve the quality of service to the public.

In the preparation of the facility plan, a set of court facility planning concepts have been developed based on these goals. These concepts, addressing facility issues that affect future court operations, are presented as follows:

Goal 1: The courthouse should be designed to convey an image of dignity and solemnity and a sense that the facility is one in which justice is done.

- The architecture design should reflect the traditional image of the judicial system: dignity, strength, respect, and a sense of importance of the judicial system in the community.
- The appearance and ambiance of the courtrooms should be restrained, dignified, and business like. Consideration should be given to proper sight lines, acoustics, lighting, properly functioning heating, ventilation, and air-conditioning systems.
- The design of the prisoner transportation and service delivery systems should not interfere with the surrounding Chambersburg environment.

² See American Bar Association, Judicial Administration Division, *Standards Relating to Trial Courts* § 2.46 (1990).

Goal 2: The courthouse should serve as a focal point for appropriate civic activities and events as well as a venue for county judicial functions.

- Multiple-use and sharing of the court facilities by the courts and local citizens should be considered. However, sharing the facility with local civic activities should not impede court security and the effective use of the courthouse.
- The courtrooms, jury room, and the hearing rooms, when not used by jurors, could be used for education programs provided by court programs or local organizations

Goal 3: The courthouse should maintain flexibility to accommodate both short- and long-term space needs and contribute to the effective administration of justice.

- Provisions for future expansion of the court system should exist. Additional space for a courtroom and support space/judge's office should be constructed.
- Standard-sized trial courtrooms and courtroom ancillary facilities should be constructed to accommodate a broad range of growth, jurisdiction changes, or policy changes for the circuit to enhance the facility's flexibility and long-term usefulness.
- Each judge should have access to a courtroom or a hearing room. Additional hearing rooms or courtrooms should be provided to accommodate court expansion or visiting judges.
- Judges' chambers should be close to the courtrooms, although it is not required that they be immediately adjacent to the courtrooms.
- Courtrooms should be supported by a set of ancillary facilities, such as courtroom prisoner holding facilities, witness waiting rooms, a jury deliberation room, and attorney-client meeting rooms.
- Jury deliberation rooms should provide comfortable surroundings with adequate facilities and conveniences separate from public circulation.

Goal 4: The courthouse should offer an environment that is easily accessible to the public and user-friendly.

- The courthouse should be provided with adequate parking for judges, court employees, jurors, and court visitors.
- The courthouse should be a barrier-free, accessible facility in compliance with the American with Disabilities Act Title II requirements for governmental facilities.
- A simple and clearly displayed public directory and signage system should be provided so visitors are able to find their way around the courthouse.
- A public self-service center should be provided near the clerk of court office for pro se litigants and the public to seek assistance from the court in answering questions or preparing forms or other documents to file.
- A short-term children-waiting area should be provided in the courthouse for children of court visitors, jurors, or litigants while their parents attend court.

Goal 5: The courthouse should offer an efficient and secure environment for all citizens who utilize the facility as well as for the judges and court employees who work within the facility.

- Courthouse security should be provided through the use of a combination of structural elements, traffic pattern and access controls, weapons detection and screening, security surveillance devices, and properly trained security personnel.
- Public traffic in the courthouse should be controlled for security reasons. The public should access the building through a main entrance where security staff, using magnetometers and x-ray scanners, screens the public for weapons and contraband.
- The courthouse space should be organized into zones that are similar in function, operational needs, physical characteristics or access requirements. Proper circulation and access control should be designed and provided at individual space zones to maintain an efficient and safe court environment. Public access to private work areas, such as judges' chambers, clerk's offices, and records room should be controlled.
- Separate circulation systems should be provided for judges and court employees, prisoners, and the public in the building to maintain proper security and work privacy. Prisoner movement in the courthouse should be segregated and not intersect with other court users. Judges and court employees should be able to move into work areas or courtrooms through private corridors and a private elevator without going through the public area.
- The building design should incorporate building security and operational considerations for having night court sessions and other community programs and activities held in the building during non-regular business hours.
- A shared attorney work area, with telephones, tables, and chairs, should be available to attorneys and public defenders while they wait between scheduled court appearances.

Goal 6: The courthouse, including all courtrooms, offices, and other functional space should be equipped with advanced technologies to facilitate the efficient administration of justice and improve the quality of service to the public.

- The courthouse should be designed with provisions for the extensive use of computerized, advanced technologies at all functional areas for efficient operations and a secure work environment. Individual workstations in the courthouse, including courtrooms, judges' chambers, court administration offices, and other court-related offices, should be designed with computer-networked information access and telecommunications capabilities. New technologies, including video, document imaging, electronic docket displays, public information kiosk/self-service computer workstations, and electronic access to court records should be incorporated in the facility plan.
- Provisions for voice-activated video/audio recording technologies should be planned and pre-wired in all courtrooms and hearing rooms to provide a convenient, accurate record of court proceedings, requiring a minimum of human intervention.
- The facility should be planned for video arraignment technology to arraign in-custody defendants more efficiently. The use of video arraignments can ease jail overcrowding by allowing in-custody defendants to be arraigned and released shortly after they are booked in

the jail. Video arraignments also reduce prisoner transportation and improve courthouse security.

- Video arraignment technology should be incorporated into the design of the courtrooms and be linked to the county government's communications network. The video arraignment system should be planned as an added but integral function to the future courtroom video recording system. The location of the cameras, video monitors for the respective participants, and the public should be planned.
- Remote, interactive video testimony and computerized evidence display capabilities should be provided and integrated in the courtroom audio/video system.
- Security surveillance cameras should be installed in courtrooms, hearing rooms, secured prisoner areas, courthouse-access control locations, and secure parking areas.
- Document imaging technology should be available throughout the courthouse to reduce paper circulation and storage requirements, improve record dissemination, and facilitate effective information sharing.
- The general public should be able to access court services. Public information and public access terminals should be provided in the public lobby or at the public self-service center for the public to access court information. The courthouse should be designed with provisions to allow public access to court information via telecommunication.
- Proper holding areas and screening areas for prisoners should be incorporated into the design of the new or remodeled courthouse. Secure holding and screening areas should allow direct access to the courtroom separate from public or judicial circulation paths.
- Screening and holding areas should also provide secure and private areas for 'No-Contact' meetings between attorneys and clients in close proximity to the courtrooms. Attorneys should have access to holding areas of prisoners directly from courtroom and separate from public circulation paths.
- A new or remodeled courthouse should address security measures for 'after-hour' events that require nighttime access and security.

XI. SECURITY

Courthouse security starts with the building and perimeter around it. Metal detectors and weapons control are necessary safety measures in virtually all high use courthouses today. Structural design and technology play a critical role.

Perimeter security can be enhanced with effective outdoor lighting and an electronic sally port with a video camera so that 24/7 security staff can monitor and electronically trigger access to the building during non-business hours. The security camera system should also be accessible from a remote location via a video conference or computer network.

In-custody defendants should be brought into the Judicial Center by means of a sally port; an entrance that is secure from pedestrian or vehicular intrusion of any kind. The sally port should be equipped with CCTV, an intercom, and duress alarms. As a best practice, it is wise to conduct a secondary screening of inmates once they enter the holding areas in the Courthouse to ensure they have not managed to secrete any weapons. Screening equipment designed for this purpose is available on the market and used by many courts today.

Currently, internal courthouse prisoner holding rooms in and around the courtrooms and hearing rooms are inadequate. They are merely segregated, small rooms without secure construction. Furthermore, we understand that incarcerated defendants are transported through private judicial and staff hallways and are in close proximity to jurors and the public due to the present configuration of the courthouse and court annex. In any new or remodeled construction this must change. Secure in-custody holding facilities are necessary. Prisoner transit must be sight and sound separated from judicial and court staff areas as well as public zones.

Ideally, there should be an electronic Security Control Hub in the Judicial Center overseen by the Sheriff. CCTV cameras should be monitored at the Hub and zones within the courthouse and adjacent buildings should be able to be isolated using electronic controlled doors. This will allow security to lock down sections of buildings so security incidents can be contained.

CCTV cameras, coupled with additional intrusion and duress alarms at key points throughout the courthouse such as secure parking lots, non-public building entrances, prisoner holding and transport areas, chambers and courtrooms/public hearing rooms, would certainly heighten needed security levels.

Appendices

Appendix A

Franklin County Case Filing Statistics: Comparison of Survey and AOPC Data

	Clerk of Courts ³³		Prothonotary ³⁴			Domestic ³⁵		Magistrate	Orphans' Court ³⁶	
Year	AOPC	Survey	AOPC Annual Report	Survey	AOPC Stats Unit	AOPC	Survey	AOPC	AOPC	Survey
1994	1,388	1,276	618		838	2880				906
1995	1,573	1,570	642		780	2469		21,739		878
1996	1,590	1,594	720	941	809	2596		19,706	754	950
1997	1,686	1,693	695	999	887	2480	10,988	21,375	849	1034
1998	1,962	2,002	678	1,086	908	2632	5,018	20,777	982	1184
1999	2,190	2,172	1,047	1,467	968	2556	5,025	18,636	903	1148
2000	2,257	2,302	1,123	1,723	984	3034	5,001	19,829	902	1149
2001	2,675	2,570	985	4,013	881	3420	4,925	19,692	909	1183
2002	2,482	2,451	961	3,538	829	3175	4,828	18,320	912	1184
2003	2,445	2,460	922	3,202	870	3359	4,859	17,886	910	1167
2004	2,531	2,543	943	5,160	877	3619	5,261	23,733	902	1185
2005	2,775	2,666	1,014	5,298	965	3538	5,139	24,958	990	1222
2006	2,745	2,770		5,823	1125	3576	5,033	27,050	1,085	1351
2007		2,933		6,370	1273	3731	4,847	26,507	1,004	1294

³³ The case filings for the Clerk of Court from the survey and the AOPC show some variation but not significantly, therefore, NCSC has chosen to use the AOPC numbers to maintain a consistent source.

³⁴ AOPC data for the Prothonotary was developed via a special request from NCSC.

³⁵ The discrepancy in the domestic relations filings are due to the fact that the AOPC only tracks new case filings whereas the Clerk of the Domestic Relations Division tracks actions such as petitions and contempt filings. The Clerk suggested that for projecting caseload NCSC use the AOPC figures.

³⁶ The variation in the numbers in the Orphans' Court are due to the fact that numbers provided in the survey include termination of parental rights cases which are separate case filings from the adoption filings even though it may pertain to the same child. The Clerk of the Orphans' Court was very confident of his numbers and asked that NCSC use the combined number of adoptions, TPRs, guardianships and marriage licenses to project future filings.

Prothonotary Case Filings as Reported by AOPC 10/16/08

Laurie A. Sacerdote
Paralegal/Caseload Statistics Coordinator
Administrative Office of Pennsylvania Courts
Department of Policy Research and Statistics

Year	Docketed Civil Action	Docketed Equity	Divorce New Cases	Total
1994	319	30	489	838
1995	259	23	498	780
1996	275	18	516	809
1997	362	21	504	887
1998	368	19	521	908
1999	370	12	586	968
2000	360	11	613	984
2001	334	10	537	881
2002	292	10	527	829
2003	337	16	517	870
2004	356	13	508	877
* 2005	385		580	965
2006	549		576	1125
2007	737		536	1273

* Starting in 2005 docketed civil action includes docketed equity.

Appendix B

Franklin County Juvenile Probation Department Delinquency Referrals

Year	Referrals
1992	561
1993	474
1994	609
1995	574
1996	716
1997	810
1998	803
1999	669
2000	776
2001	645
2002	594
2003	672
2004	648
2005	651
2006	688
2007	583

Source: Franklin County Juvenile Probation Department Annual Reports

Appendix C

Franklin County Children and Youth Service Dependency Referrals

Year	Referrals
1997	649
1998	659
1999	709
2000	809
2001	848
2002	893
2003	861
2004	874
2005	820
2006	992
2007	1040

Source: Franklin County C&Y Service Needs-based Budgets and Plans and Annual Reports

Appendix D

Franklin County and Fulton County Judgeship Ratio to Population and Case Filings 1966 - 2030

	Year	Judgeships	Franklin & Fulton County Case Filings	Two- County population	Judgship to cases ratio	Judgship to Population ratio
	1966	2		N/A		N/A
	1967	2		N/A		N/A
	1968	2		N/A		N/A
	1969	2		N/A		N/A
	1970	2		111,609		55,805
	1971	2		114,400		57,200
	1972	2		114,400		57,200
	1973	2		116,000		58,000
	1974	2		118,400		59,200
	1975	2		119,900		59,950
	1976	2		122,400		61,200
	1977	2		122,400		61,200
	1978	2		123,800		61,900
	1979	2		124,900		62,450
	1980	2		126,471		63,236
	1981	2		127,304		63,652
	1982	2		127,567		63,784
	1983	2		128,371		64,186
	1984	2		129,676		64,838
	1985	2		130,225		65,113
	1986	2		130,913		65,457
	1987	2		131,428		65,714
	1988	3		132,607		44,202
	1989	3		133,523		44,508
	1990	3		135,365		45,122
	1991	3		137,046		45,682
	1992	3		138,192		46,064
	1993	3		139,150		46,383
Historic	1994	3	5,019	138,597	1,673	46,199
	1995	3	5,256	139,474	1,752	46,491
	1996	3	5,230	140,310	1,743	46,770
	1997	3	5,409	141,304	1,803	47,101
	1998	4	5,727	142,113	1,432	35,528
	1999	4	6,860	143,129	1,715	35,782
	2000	4	7,422	143,572	1,856	35,893
	2001	4	7,477	144,375	1,869	36,094
	2002	4	7,456	145,576	1,864	36,394
	2003	4	7,644	146,913	1,911	36,728
	2004	4	7,680	148,823	1,920	37,206
	2005	4	8,071	151,617	2,018	37,904
	2006	4	8,143	154,441	2,036	38,610
projection	2007	4	8,327	156,604	2,082	39,151
	2010	5	9,161	160,060	1,832	32,012
	2013	5	9,679	164,068	1,936	32,814
	2018	6	10,542	170,856	1,757	28,476
	2023	6	11,402	177,416	1,900	29,569
	2028	7	12,261	183,776	1,752	26,254
	2030	7	12,602	186,320	1,800	26,617

Appendix E

Request Letter for Fifth Judicial Officer for the 39th Judicial District

COURT OF COMMON PLEAS - THIRTY-NINTH JUDICIAL DISTRICT
FRANKLIN AND FULTON COUNTIES



CHAMBERS OF THE PRESIDENT JUDGE
157 LINCOLN WAY EAST
CHAMBERSBURG, PA 17201

JOHN R. WALKER
PRESIDENT JUDGE

TELEPHONE 717 702-3138
TELEFAX 717 702-3138

May 17, 2007

Senator Terry L. Punt
c/o Anne Stine
Room 16 East Wing
State Capitol Building
Harrisburg, PA 17120

Dear Senator Punt:

We were recently contacted by your office regarding a bill being prepared by Senator Greenleaf increasing the number of judges in various Pennsylvania counties. On behalf of my fellow Judges, and with the support of the Franklin County Commissioners, I respectfully request that the 39th Judicial District be included in the bill for one additional judicial position to be filled by election in 2011.

Our request is made for several reasons. First, the population data for Pennsylvania shows that Franklin County is in the wave of border counties experiencing tremendous growth from the south with projections for the growth to continue at a rapid pace. With additional people comes additional demands on our Court resources. By way of history, the second judge was added in 1966 with a third following in 1988 and the fourth in 1998. If this request is approved, the seating of the fifth judge will be fourteen years after the addition of the last judge.

Next, caseloads have increased dramatically in all areas of the law. For example, new criminal case filings increased 72% over the ten-year period from 1994 through 2004 according to figures provided by the Administrative Office of Pennsylvania Courts. On the civil side the demand for multiple day jury trials is ever increasing. An explosion in the number of court hearings on juvenile matters occurred in 2002 requiring us to institute a Juvenile Master program to assist the court in handling these matters. Even with the implementation of this program, the number of juvenile hearings has continued to increase. We have taken seriously the directive from our legislature to provide permanency for our dependent children and processed a record number of parental right termination cases and subsequent adoptions in 2006. When these factors are added to

Page 2

the commonly recognized demands placed upon the court in cases involving family issues including divorce, custody, protection from abuse and support, the current resources are being stretched to their maximum.

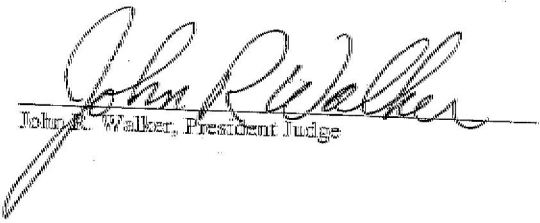
Due to the increased population and ever increasing caseloads, our bench feels that a fifth judgeship is warranted. Recognizing that along with a fifth judge comes requirements for personnel and space to be provided by the county, we have requested that the new position be approved for the later election cycle in order to give proper time for planning in a cooperative fashion with the Commissioners.

Finally, we will continue to be proactive in identifying further areas for improvement in the area of efficiency and case management. We plan to continue reviewing our criminal case management system with the assistance of the Criminal Justice Advisory Board. We are currently waiting for the results of a study conducted by the Administrative Office of Pennsylvania Courts that was initiated at our request to evaluate and recommend improvements that will promote greater efficiency in order to make best use of the allocated resources until we are provided with additional help.

I am enclosing a letter of support from the Franklin County Commissioners, I am additionally providing copies to Representatives Kauffman, Rock and Keller with the hope that they will also support this request when, and if, it comes before the House.

Thank you for considering our request. If additional information is needed we will be most happy to comply.

Sincerely,


John R. Walker, President Judge

JRW:skh
Enclosure

cc: Representative Rob Kauffman
Representative Todd Rock
Representative Mark Keller
Franklin County Commissioners Elliott, Thomas and Plummer
Douglas W. Herman, Judge
Richard J. Walsh, Judge
Carol L. Van Horn, Judge



Franklin County Commissioners' Office

14 North Main Street
Chambersburg, PA 17201-1824
commissioners@co.franklin.pa.us
Telecommunication Device for Deaf (717) 264-8474
(717) 261-3512

COMMISSIONERS
G. Warren Elliott, Chairman
Robert L. Thomas
Cheryl S. Plummer

CHIEF CLERK/COUNTY
ADMINISTRATOR
John A. Hart

COUNTY SOLICITOR
Shawn D. Meyers

May 17, 2007

Senator Terry Punt
Senate Box 203033
16 E. Wing
Harrisburg, PA 17120-3033

Dear Senator Punt:

We have been approached by our judges to support their request for a fifth judge for Franklin County to be elected in 2011 and to be seated in 2012.


We appreciate their careful analysis of the anticipated increase in population and subsequent demands on the judiciary and endorse their efforts to plan for the needed judge at the time indicated.

As always, thank you for considering the needs of your constituents in such a timely matter.

Sincerely yours,

The Franklin County Commissioners


G. Warren Elliott
Chairman


Robert L. Thomas


Cheryl S. Plummer



Franklin County Commissioners' Office

14 North Main Street
Chambersburg, PA 17201-1824
commissioners@co.franklin.pa.us
Telecommunication Device for Deaf (717) 264-6474
(717) 261-3812

REC'D FEB 27 2008

COMMISSIONERS
Robert L. Thomas, Chairman
David S. Keller
Robert G. Zibrowski

Chief Clerk/County
Administrator
John A. Hart

County Solicitor
Shawn D. Meyers

February 26, 2008

State Senator Terry Punt
Senate Box 203033
16 E. Wing
Harrisburg, PA 17120-3033

Dear Senator Punt:

In May of 2007 the Franklin County Board of Commissioners were approached by our judges to support their request for a fifth judge for Franklin County to be elected in 2011 and to be seated in 2012. Since this time the Board has received a written request from the judges that has provided data pertaining to increased caseloads, scheduling difficulties for the courts, and the pending retirement of a currently seated judge. The Board of Commissioners has now been requested to support the efforts of the court to move the election of the fifth judge from 2011 to 2009 with this judge being seated in 2010 instead of 2012.

The Board of Commissioners endorse the court's efforts to plan for the needed judge at the time indicated based on the rapid growth of Franklin County and the demands placed on the courts.

As always, thank you for considering the needs of your constituents in such a timely matter.

Sincerely yours,

The Franklin County Commissioners

Robert L. Thomas

David S. Keller

Robert G. Zibrowski

Cc: President Judge John Walker
Judge Douglas Herman
Judge Carol Van Horn
Judge Richard Walsh
Neil Burkholder, Court Administrator
file

Appendix F

Courtroom and Courthouse Technology Case Studies

Case Study 1: Superior Court of Arizona, Maricopa County

Studies have found that high-tech court proceedings can cut trial time for a civil case by 25 percent. Prior to the use of high tech courtrooms, litigants were limited to presenting evidence by displaying sketches, photographs and case documents on easels or by passing them to jurors to view individually. The new technology allows lawyers to use laptops and a touch screen computer to simultaneously display and annotate evidence on the monitors in the jury box and around the courtroom. It is an easier, more effective way to litigate a case.

Proceedings in E-Courtrooms are recorded. The audio/video recording technology creates a verbatim record without the use of a court reporter. Copies of the proceedings are available on videotape or a CD.

E-Courtroom technology opens the justice system and trial proceedings instantaneously and globally outside the courthouse.

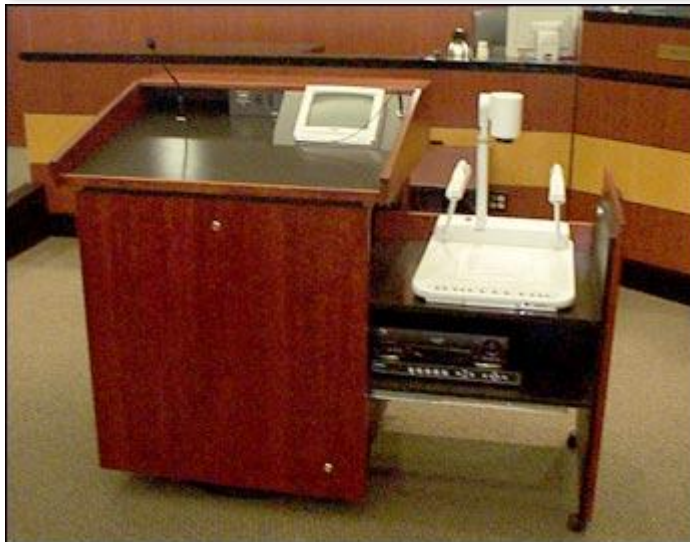
Features

- Video cameras are activated by sound.
- Microphones can detect the slightest whisper.
- Flat screen monitors simplify evidence presentation.
- Two-way video conferences allow court appearances from other locations around the country.
- Touch-screen technology allows witnesses and attorneys to highlight exhibits on any screen image.

"These E-Courtrooms represent a profound and fundamental change in the way court proceedings are conducted," said Superior Court Presiding Judge Colin F. Campbell. "Widespread use of technology during trial enhances the way evidence is presented, allowing facts, concepts and ideas to be more readily understood by jurors, litigants, spectators, lawyers and the Court."



The jury box of the electronic courtroom features flat screen monitors built into the railings to provide jurors with a better view of court proceedings.



Each courtroom is equipped with an Evidence Presentation System that includes a 12-inch touch-screen monitor, document camera and a VCR for evidence display. Litigants and attorneys can draw, write or highlight any image using the touch-screen technology.



The audio and visual systems in the E-Courtrooms are controlled by judges and staff. Depending on the situation, the judge can activate and deactivate juror and audience monitors, and the sound system can be muted during bench conferences.



Electronic Courtrooms are the future for judges, lawyers and litigants in Maricopa County. Each courtroom is equipped with cameras activated by sensitive microphones, flat screen monitors for evidence display and touch screen technology, among other tools. Proceedings in E-Courtrooms are recorded. The audio/video technology creates a verbatim record without the use of a court reporter.

Case Study 2:

First Judicial District of Pennsylvania, 625 City Hall

The recently renovated Courtroom 625 in historical City Hall has become the First Judicial District of Pennsylvania's high technology courtroom. The following description lists some of the available technologies.



A video evidence presentation system with distributed monitors, interactive plasma display, and touch-screen annotation at the podium and witness positions.

A Video player at the podium provides the ability to display video tapes and DVDs.

Computer input connections at the podium, attorney tables and judge bench provide the display of computer generated and scanned materials to the courtroom.



The interactive display is a Smart Overlay mounted on a plasma screen allowing the easy marking of digital evidence by a witness.

The touch screens at the witness stand and the podium allow a witness or attorney to easily mark digitally displayed evidence for all in the courtroom to see.

Document cameras, at both the podium and witness locations, allow the display of physical evidence such as documents, pictures, x-rays, slides, etc.



A video printer makes a picture size representation of the displayed evidence for creating a record of all annotated materials. This does not replace the original material, but simply records the markings of that material.

- A teleconference system allows clear audio telephone communications for remote audio testimony.
- A videoconferencing system provides remote witness appearances from anywhere in the state, country or world. Multiple TV cameras automatically switch to the speaker at various locations within the room and do not require any operator control.
- A court record capability of stenographic court reporter real-time transcription and digital audio recording allows for a comprehensive record of the proceedings.
- Foreign language interpretation transmission through an Infrared Emitter system providing translation for foreign speaking participants in a trial.

Case Study 3: Orange County, California, Civil Complex Center

The Orange County court staff uses the term “plug and play” to describe the new 36,000 square foot, five-courtroom, four-judge facility. Each courtroom, which can accommodate up to 60 lawyers at a time, has a central station at which attorneys can present an entire case from information stored on CDs in their laptop computers. Monitors are provided at counsel tables, at the judge’s bench, in the witness box, and in jury deliberation rooms. Lawyers and witnesses can mark electronically on computer displays of exhibits such as photographs and maps, and revisions can be saved and stored as new exhibits in the case.

In addition to the monitors, there is a ten foot wide dropdown projection screen for jurors that give them a better view of exhibits and presentations. The judge’s bench has a “kill” switch to make the screen blank if information is presented that should not be seen by the jury. The court partnered with DOAR Information Systems to install the necessary cables and equipment for these features at no cost to the county or the court. Litigants who wish to use the equipment pay DOAR a rental fee of \$550 per day that can be shared by all the parties in the case.

Other features of the courtrooms include the ability to challenge witnesses with video playback of their testimony; real-time transcripts that flow from the court reporter’s equipment to television monitors, which can utilize software to translate them into English; and Internet access so that attorneys can send court transcripts back to their offices.



Case Study 4: New York State Supreme Court, Courtroom 2000

Courtroom 2000 contains the latest in courtroom technology. This courtroom surely places the New York Supreme Court at the forefront of technological innovation in the state court systems of the country. The courtroom:

- § Provides litigants with state-of-the-art technology, allowing cases to proceed in the most efficient and effective manner possible.
- § Provides the Bar, judges and court staff with the latest technological options for the litigation process.
- § Serves as a technological laboratory for other courts in the state.
- § Provides a training ground for attorneys, judges, court staff, law students and court reporting students.

Features

Real-time Court Reporting Facilities: Allows for instantaneous voice-to-text transcription, word indexing in transcripts, exhibit indexing and paperless transcripts.

Real-time Streaming: Real-time streaming is the output of real-time transcription to a server that is protected by layers of encryption software and anti-hacking software. Thus protected, the transcription is transmitted in real time to the attorney sitting in the courtroom and other persons on the attorney's side of the case located in the attorney's office or in other places: other attorneys, paralegals, support staff, experts, and others including out of state. All can follow every word of the proceedings as it is spoken. The ability to follow the case in this way can greatly assist in the preparation of cross-examination, the presentation of later elements of the case, and so on.

Wireless Internet Access: By this means, an attorney can communicate using instant messaging with other counsel on the case, experts, etc., who are not present in the courtroom. In combination with real-time streaming, this capacity significantly enhances the ability of attorneys and others to follow and react to developments in the case as they occur. Wireless access is available in all the facilities of the court.

Streaming of Witness Testimony: Video of a witness as he/she testifies can be streamed to and viewed on a password-secure internet site. In addition, the evidence that is shown using the evidence presentation equipment (see below) can be streamed along with real-time transcription to provide a complete picture of what the jury, the judge, and the attorneys are seeing in the courtroom as it happens.

Video Conferencing: Video conferences can be conducted using equipment available in the courtroom.

Electronic Transcripts: By means of special software, transcripts can be delivered securely by e-mail with enhanced viewing, mouse-click searching, and indexing capabilities.

Presentation of Electronic Evidence: Attorneys are able to present evidence to the judge and jury through a wireless communicator or in the form of digitized evidence on CD-ROM by video monitors conveniently placed around the courtroom. A presenting attorney can "zoom in" on a portion of an item of electronic evidence on screen. A "kill switch" on the bench permits the judge to turn off monitors until a particular item of evidence is admitted or if the judge determines that certain images should not be made available to the jury. Digitized video depositions will be displayable along with synchronization to real-time transcripts, greatly facilitating examination of prior deposition testimony and trial testimony.

Advanced Monitors: Currently in place in the courtroom are advanced 17-inch LCD monitors. A 40-inch plasma monitor has been installed near the witness box so that the public can view the proceedings along with the court, the attorneys and the jurors.

An Interactive "Whiteboard": This replaces the conventional blackboard. Presentation of drawings or writings can be made in large format on video monitors in the courtroom using a sophisticated touch-sensitive screen. An attorney or witness can highlight aspects of a document of particular interest by writing over or drawing on an image of it and can store the notations on a computer. The screen interacts with virtually any computer-based material. Hard copies of the displayed items can be obtained from a color laser printer.

Touch Screen Monitor: Located at the witness box, this monitor and a connected light pen can be used by a witness to mark pieces of evidence for illustrative purposes. An expert witness, for instance, can mark drawings on a display to explain testimony clearly and dramatically for the judge or jury. The monitor is connected to monitors on the bench and in the jury box.

Animation: Computer-generated animation may be displayed on monitors for the judge and jury. Attorneys can present animated explanations for events, functions, constructions and the like to supplement the testimony of expert and fact witnesses. Such presentations can have a powerful impact in helping finders of fact to understand complex events, processes and bodily functions.

Customized Integrated Electronic Podium: Replacing the traditional podium, the electronic podium serves the normal function of permitting attorneys to rest papers during the course of questioning but also does much more -- it holds equipment used to present evidence electronically in the courtroom: a light pen for annotation by counsel on items of evidence displayed on monitors to the judge and jury; a bar code pen; a flat monitor on which the attorney can see the item of evidence being displayed to the judge or the jury; a video cassette recorder; a wireless communicator that projects items of proof on monitors; and a visual image printer to capture any frame from a video or still source for preservation purposes.

Personal Computer Docking Stations: Located at counsel's table, the witness box, the bench, and the podium, these connections permit the presentation or analysis of evidence by witness or counsel.

Video Cassette Recorder: Connected to the evidence presentation system, the recorder facilitates presentation and playback of taped evidence.

Component Computer: This computer is specifically designed to handle the processing of all information and to run software needed in the courtroom.

Other Equipment: The courtroom is equipped with a portable infrared acoustical system and an LED display system.

The courtroom accommodates cases that would benefit from access to this equipment, such as any form of document-heavy case, personal injury cases in which images or video presentations will play a large part, and the like. It is, of course, not necessary for counsel to utilize in every case every feature available in the courtroom. The full panoply of capabilities may be appropriate to some cases, while others might benefit from much less, such as the monitors and the presentation podium.